

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Misc. No. M-10650 of 2015
Date of Decision:-07.8.2015**

Dhavni Singla

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. H.S. Jalal, Advocate
for the petitioner.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

Mr. K.B. Raheja, Advocate
for the complainant.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.28 dated 7.3.2015, under Section 315 IPC, registered at Police Station Sadar Dhuri, District Sangrur.

This Court vide order dated 1.4.2015, while issuing notice of motion, has granted interim bail to the petitioner subject to joining the investigation as and when directed by the Investigating Agency/Investigating Officer and to abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

Learned State counsel, who is assisted by ASI Sukhdev Singh, has stated that in terms of the above order the petitioner has joined investigation and her custodial interrogation is not required at this stage.

Mr. K.B. Raheja, Advocate has put in appearance on behalf of complainant and has opposed the bail application. He submits that the petitioner has got the abortion without his consent and he being husband, is a biological father and, therefore, the complainant was required to be taken into confidence.

The fact that under what circumstances the abortion was carried out, is yet to be determined by the trial Court. The fact that the petitioner is having a dispute with her husband is one of the another relevant factor to make the order dated 1.4.2015 absolute

In view of the above, interim directions issued by this Court vide order dated 1.4.2015 are made absolute.

However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

It is made clear that any expression made herein above shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case on the basis of available evidence.

The petition is disposed of.

August 07, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE