

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13829-2015

Date of decision: 31.07.2015

Rajnish Ahlawat

..... Petitioner

Versus

Smt. Mamta Devi and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. AS Sheoran, Advocate for the petitioner.

Mr. SS Pannu, DAG, Haryana for respondent No. 2.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in Criminal Complaint No. 132 dated 27.04.2013/02.01.2015, under Sections 420/506/120-B of the Indian Penal Code, Police Station Civil Lines, Bhiwani, District Bhiwani.

When this case was listed on 30.04.2015, following order was passed:-

“It is inter alia contended that petitioner has been summoned in a private complaint and the dispute is mainly of civil nature. It is further contended that despite the fact that the summoning order has been passed in a complaint case, the application for pre-arrest bail filed by the petitioner has been dismissed by the learned Additional Sessions Judge, Bhiwani, vide order dated 25.03.2015 (Annexure P-4).

Notice of motion for 31.07.2015.

In the meanwhile, the petitioner is directed to appear before the trial Court within 10 days from

today and the trial Court shall admit him to bail on furnishing bail bonds to its satisfaction. Till then arrest of the petitioner shall remain stayed.

In case, petitioner fails to do so, the concession granted to him by this order shall automatically stands vacated.

*Process **dasti** as well.*

Liberty is also granted to serve respondent No.1-Smt. Mamta Devi, through her counsel before the trial Court.”

It is not disputed that in terms of the above-stated order dated 30.04.2015, the petitioner has appeared before the trial Court and furnished the bail bonds.

As per office report, notice issued to respondent No. 1-Smt. Mamta Devi has been received back served but there is no representation on her behalf.

In view of the above and without expressing any opinion on the merits of case, the instant petition is allowed and order dated 30.04.2015 is made absolute and the bail bonds furnished by petitioner before the trial Court would continue during the pendency of trial.

July 31, 2015
rishu

(R.P. NAGRATH)
JUDGE