

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1. CRM-M-25842 of 2015
Date of Decision : 20.08.2015

Rashpal Singh and othersPetitioners

Versus

State of PunjabRespondent

2. CRM-M-24034 of 2015

Bohar SinghPetitioner

Versus

State of PunjabRespondent

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

Present: Mr. T.S. Sangha, Senior Advocate with
Mr. Narinder Singh, Advocate
for petitioners in both the petitions.

Mr. Gazi Mohd., DAG, Punjab.

Mr. Bir Davinder Singh, Advocate
for the complainant.

R.P. Nagrath, J. (Oral)

Prayer in the instant petition is for grant of anticipatory bail under Section 438 Cr.P.C. in FIR No. 95 dated 07.07.2015 for offences under Sections 420, 498-A and 406 of the Indian Penal Code (IPC), registered at Police Station Sadar, Mansa, District Mansa.

By this common order CRM-M-24034 of 2015 at the instance of Bohar Singh, the grandfather of husband of the complainant is also being disposed of. The facts are being extracted from CRM-M-25842 of 2015.

When the matter was listed on on 06.08.2015, the following order was passed:-

“Learned senior counsel for the petitioners inter alia contends that petitioners No. 1 and 2, namely; Rashpal Singh and Davinderpal Kaur @ Davinder Kaur are the parents of husband of the complainant and petitioner No. 3-Harinder Singh is the brother of the husband. It is further contended that the complainant and her husband were living in a rented accommodation and not with the petitioners. It is also contended that husband of the complainant was arrested and has been granted regular bail.

Notice of motion for 20.08.2015.

Mr. Bir Davinder Singh, Advocate has put in appearance on behalf of complainant and filed memo of appearance in Court today and the same be taken on record. Learned counsel for complainant is directed to file power of attorney with the Registry by the next date of hearing.

Meanwhile, in the event of arrest of the petitioners, they shall be released on bail by the Arresting/Investigating Officer. The petitioners shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.

To be listed along CRM-M-24034-2015.”

Learned State counsel on instructions from ASI Dalel Singh submits that petitioners have joined investigation.

I have heard learned counsel for the petitioner, the State counsel assisted by Mr. Bir Davinder Singh, advocate,

counsel for the complainant.

Learned counsel for the complainant has, vehemently, opposed the prayer on the ground that this was under a well thought plan that the complainant was cheated first by solemnizing marriage so that earlier FIR No. 69 dated 10.06.2014 for offences under Sections 376, 313, 315 and 420 IPC, Police Station Sadar, Mansa can be compromised. Thereafter, the marriage was solemnized and the complainant was statedly thrown out of the house. It is also submitted that in the dispute between the parties a statement was made by Amrinderdeep Singh, the husband of complainant that the matter was compromised with the intervention of Bohar Singh-petitioner in CRM-M-24034 of 2015.

Learned senior counsel for petitioners submits that after the marriage the couple was residing in a rented accommodation. It is further contended that while husband of the petitioner proceeded for commando training for a week the complainant went missing and mother of the complainant also recorded DDR. These are the questions which need consideration during the course of trial and should not be commented upon at this stage.

The compromise earlier reached with the intervention of Bohar Singh-petitioner in CRM-M-24034 of 2015 may rather suggest that he played a positive role in settling the dispute between Amrinderdeep Singh and the complainant.

In view of the above and without commenting on merits of the case, interim orders dated 06.08.20105 and

24.07.2015 passed in CRM-M-25842 of 2015 and CRM-M-24034 of 2015, respectively are made absolute. Petitioners shall also abide by the restrictions contained in Section 438 (2) Cr.P.C. The bail bonds furnished before the trial Court shall continue during pendency of trial.

Allowed in the above terms.

August 20, 2015
jk

(R.P. NAGRATH)
JUDGE