

CRM-M-28353-2014
Date of decision: 06.02.2015

Kawaljit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr.Balbir Singh Jaswal, Advocate,
 for the petitioner.

 Mr.J.S.Brar, AAG, Punjab.

 Mr. Vipin Mahajan, Advocate
 for respondent No.2.

M.M.S. BEDI J.(Oral)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of his wife alleging that she was married to the petitioner in the year 2012. There are allegations of demand of dowry and physical and mental cruelty. The petitioner had allegedly beaten the complainant even while she was in hospital.

Notice in the case was issued as counsel for the petitioner had given assurance that the petitioner was ready to resume cohabitation with the complainant. The matter was sent to Mediation Centre. It appears that no fruitful result could be achieved before the Mediator.

Counsel for the petitioner arguing the case on merits has submitted that the petitioner has been falsely implicated in this case. On account of conduct of the complainant, it is not feasible for him to stay with the complainant. He has also argued that it was a case of

love marriage and the petitioner has been involved in this case merely to harass him.

I have heard learned counsel for the petitioner, learned State counsel and learned counsel for the complainant.

There are serious allegations of cruelty against the petitioner-husband. He has turned out his wife along with the child and she is compelled to stay away from the matrimonial home. This circumstance in itself is sufficient enough to arrive at a conclusion regarding the cruel conduct of the petitioner. Grant of pre-arrest bail in such circumstances would amount to perpetuating the crime and domestic violence in the society.

No extra ordinary exceptional circumstances exist to grant the concession of pre-arrest bail to the petitioner. The petition is dismissed without prejudice to right of the petitioner to seek bail in accordance with law.

(M.M.S. BEDI)
JUDGE

February 06, 2015
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