

CRM-M-34029-2015 (O&M)

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

**CRM-M-34029-2015 (O&M).
Decided on: November 27, 2015.**

Umed Singh

..... Petitioner(s)

Versus

State of Haryana

..... Respondent(s)

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

**PRESENT Ms.Tanu Bedi, Advocate,
for the petitioner.**

Mr.C.S.Bakshi, Addl. A.G., Haryana.

**Ms.Anu Singh, Advocate,
for the complainant.**

M.M.S. BEDI, J (ORAL).

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Manju alleging that the petitioner was married to her on 19.2.2007. She was harassed by the petitioner on account of not bringing adequate dowry or giving birth to a child. The petitioner allegedly obtained a divorce by mutual consent under threat and by using his undue influence.

Counsel for the petitioner has submitted that all the offences are bailable except for offence under Sections 354 and 506 IPC.

Counsel for the complainant has vehemently urged that on account of fraudulent conduct of the petitioner, he has

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physically and mentally exploited the complainant.

After hearing the counsel for the petitioner, counsel for the complainant as well as the State counsel, this Court has arrived at a conclusion that decree under Section 13-B of the Hindu Marriage Act, has not become final and an application for setting aside the same is pending before the Family Court.

The petitioner has joined investigation. It does not appear to be a case of custodial interrogation as the complainant has already availed of legal remedy to set aside the decree of divorce obtained under Section 13-B of the Hindu Marriage Act.

The petition is allowed. It is ordered that in case of arrest of the petitioner, he shall be released on bail to the satisfaction of arresting officer subject to the conditions he will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner. He will also not, in any manner, harass or exploit the complainant during pendency of the trial.

November 27, 2015.
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(M.M.S. BEDI)
JUDGE