

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM No.M-509 of 2015

Date of Decision:28.01.2015

Darshan Singh & another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR.

**Present: Mr.Inder Pal Singh, Advocate,
for Mr.Mandeep Kumar Dhot, Advocate,
for the petitioners.**

**Mr.Jaspreet Singh Sekhon, Assistant Advocate General,
Punjab, for the respondent-State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioners have preferred the instant petition for the grant of concession of anticipatory bail in a criminal case instituted against them on a private complaint by complainant-Lovejeet Kaur wife of Harpal Singh, respondent No.2, (for brevity “the complainant”), in which, they were summoned to face trial for the commission of offences punishable under Sections 406, 498-A read with Section 34 IPC, vide impugned summoning order dated 25.04.2013(Annexure P-3) by the summoning Court.

2. Notice of the petition was issued to the respondents.
3. After hearing the learned counsel for the parties, going through the record with their valuable help and after deep consideration of the entire matter, to my mind, the present petition for anticipatory bail

deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed on January 08, 2015 by this Court:-

“Learned counsel, inter alia, contended that petitioner No.1 is father-in-law, whereas petitioner No.2 is sister-in-law of complainant Lovejeet Kaur(respondent No.2). They have been falsely implicated in this case by her in order to wreak vengeance. She has filed a private complaint (Annexure P-1) with altogether false allegations, in which, the petitioners were summoned to face the trial, for the commission of offences punishable under Sections 406 and 498-A IPC read with Section 34 IPC, by means of summoning order dated 25.04.2013(Annexure P-3) by the summoning Court, without any legal evidence. The argument further proceeds that very vague and general allegations are assigned to the petitioners, whereas the main allegations of cruelty in connection with and on account of demand of dowry are assigned to main accused Harpal Singh(husband of the complainant)(non-petitioner). Moreover, nothing is to be recovered from the petitioners.

Heard.

Notice of motion be issued to the respondents, returnable for 28.01.2015.

Meanwhile, the petitioners are directed to appear/surrender before the next date of hearing and the trial Court would admit them to interim (provisional) bail on their furnishing adequate bail and surety bonds to its satisfaction.”

5. At the very outset, learned counsel has placed on record his affidavit and stated at the bar that the petitioners have already surrendered/appeared and the bail bonds & surety bonds furnished by them, in pursuance of the pointed order of this Court, were accepted and attested by the summoning Court.

6. In the light of aforesaid reasons, taking into consideration the peculiar facts & the special circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on

merits, lest it may prejudice the case of either side during the course of trial of the main case, the instant petition for anticipatory bail is accepted. The interim(provisional) bail already granted to the petitioners, by way of indicated order of this Court, is hereby made absolute.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the case, in any manner, as the same has been so recorded for a limited purpose of deciding the present petition for pre-arrest bail.

January 28, 2015
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(**MEHINDER SINGH SULLAR**)
JUDGE