

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M-17025 of 2016
Date of Decision: 08.08.2016

Tejinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.A.P.S.Deol, Advocate, with
Mr.D.S.Suparchakia, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG Punjab.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition is for grant of regular bail to the petitioner under Section 439 Cr.P.C. in case FIR No.64 dated 29.03.2014 under Sections 406, 498-A IPC and Section 304-B IPC (added on 04.04.2015) registered at Police Station, City Kharar during the pendency of trial.

As per the facts which emerges from the FIR, the marriage of Pooja was earlier solemnized with one Bhupinder Kumar and after getting mutual divorce from him, her father performed her marriage with the present petitioner-Tejinder Singh.

Learned counsel for the petitioner submits that Pooja, wife of the petitioner is missing since 28.03.2014 and the factum of her whereabouts or death has not yet been known. However, a missing report was made by her husband namely Tejinder Singh on 29.03.2014.

As per statement made by Ravi Kumar father of Pooja

Vipan Kumar. At that time Pooja was minor. She was recovered from Vipan Kumar after 4 months and FIR was got registered and Vipan Kumar was convicted for 7 years for the offence under Section 366-A and 376 IPC vide judgment dated 29.05.2008. A perusal of the statement made by the complainant that Vipan Kumar is absconding as he had eloped with another girl.

Learned State counsel submits that it is only on the basis of statement of Ravi Kumar, father of the girl, which was recorded on 30.03.2015, the offence under Section 304-B IPC was added.

Keeping in view of the details as emerged from the statement of the complainant (Annexure P-8) and the fact that the whereabouts of Pooja have yet not been established, the petitioner-Tejinder Singh to be admitted to regular bail, subject to the satisfaction of the trial Court.

(RITU BAHRI)
JUDGE

08.08.2016

anil

Whether speaking/reasoned : *Yes/No.*

Whether reportable *Yes/No.*