

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2357 of 2016
Date of Decision: 21.12.2016

Sarabjit Singh and Others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Mohit Garg, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Respondent No.2 in person.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition filed under Section 438 Cr.P.C. is for grant of pre-arrest bail in FIR No.90 dated 08.09.2015 under Sections 406/498 IPC, registered at Police Station Women Cell, Patiala, District Patiala.

Vide order dated 22.01.2016, petitioners were granted anticipatory bail and it was observed that complainant was residing separately for the last six years and the marriage between petitioner No.1 and complainant was solemnized in the year 2002 and the grouse of the complainant was that the maintenance amount was not being paid to her. Respondent No.2 had appeared pursuant to the order dated 31.03.2016 and informed the Court that petitioners had not paid maintenance for the children from the year 2007 onwards. The children were studying in private school. Father of respondent No.2-complainant was maintaining the complainant as

well as her children. He had given the details of the land in the name of

petitioner No.1 to ASI Gurdev Singh-Investigating Officer, who is present in Court today. The Investigating Officer was to verify the document and inform the Court about the same on the next date of hearing.

On 29.11.2016, learned counsel for the State has informed the Court that 48 Kanals and 18 marlas of land is in the name of Gurdev Singh-Petitioner No.2 and time was sought by the counsel for the petitioner to get instructions regarding the share of the land that would come in favour of petitioner No.1 which can be transferred in the name of his children for their better future.

Learned counsel for the petitioner has informed the Court that out of 48 Kanals and 18 Marlas of land, the petitioner and his father are not ready to give even an inch of land to minor children and complainant. This land is in the name of petitioner No.2 which is to be inherited by his two sons. This is a worst case of harassment made by in-laws family to the children of the complainant who is present in Court today.

In view of the above, the order dated 22.01.2016 granting anticipatory bail to the petitioners is not confirmed and the present petition is dismissed as such.

(RITU BAHRI)
JUDGE

21.12.2016
anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>