

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

CRM M-37670 of 2014

Date of decision : 27.01.2016

Birdevinder Singh

....Petitioner

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gaurav Gupta, Advocate for
Mr. Mohit Garg, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Punjab.

Mr. Narinder S. Lucky, Advocate for the complainant.

RAJAN GUPTA J.

This is a petition under section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner vide FIR No. 283 dated 25.09.2014 under sections 498-A, 406 & 323 IPC at police station City Sangrur District Sangrur.

FIR was lodged on the complaint of Neetu Rani (complainant). She alleged that marriage between her and petitioner was solemnized on 17.02.2014. Immediately after marriage, she was subjected to cruelty for bringing less dowry. She was also threatened by the accused. While issuing notice of motion, this court granted interim bail to the petitioner. The matter was also referred to Mediation and Conciliation Centre but efforts to settle the same amicably proved futile. Vide order dated May 14, 2015, this court directed the investigating officer to make an effort for amicable resolution of the dispute. On the next date i.e. July 21, 2015, this court was informed that investigating officer had already prepared a challan and presented before the competent court of

jurisdiction. The concerned court had released the petitioner on interim bail thereafter. Vide order dated August 19, 2015, explanation of the Presiding Officer was sought about the need for passing a supplementary order despite a protective order already granted by this court and about the effect of such order in the eventuality that this court ultimately dismisses the plea for anticipatory bail. Explanation of the concerned police officials was also sought. According to affidavit filed on behalf of Senior Superintendent of Police, Sangrur, departmental action has been initiated against the concerned police officials. Response of the Presiding Officer has also been received which would be dealt with on the administrative side. As regards plea for anticipatory bail, this court does not intend to delve further into the matter as the investigation has been completed. Trial court is, thus, at liberty to continue with the trial. Order dated 05.11.2014 is hereby made absolute subject to the conditions envisaged by Section 438(2) Cr.P.C. Disposed of in these terms.

January 27, 2016

Ajay

(RAJAN GUPTA)
JUDGE