

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc No. M-15139 of 2016
Date of decision : 01.02.2017

Vikas Gill
State of Haryana

versus

...Petitioner
...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Ms. Mahima Yashpal, Assistant Advocate General, Haryana

Mr. Ajay Kumar Kansal, Advocate
for the complainant/respondent No. 2.

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner, in a case arising out of F.I.R No. 736 dated 16.09.2015 under Sections 498-A/406 IPC, registered at Police Station City Jind, District Jind.

On 29.09.2016, it was agreed between the parties that petitioner will meet her child four times in the coming month at the house of his paternal uncle to which the complainant was having no objection. But on the last date of hearing, the following order was passed:-

“Learned counsel for the complainant states that pursuant to the orders dated 29.09.2016, the petitioner has met his child two times.

On second occasion, videography was made by him and on this account, the complainant got angry and took the child back, despite the fact that the petitioner can meet his child four times in the month. Furthermore, the complainant is not present in Court today and her counsel has informed that she is suffering from spraint ankle and no efforts were made to inform the petitioner with regard to her absence. On the other hand petitioner is present in person today in Court.

In view of the above, complainant is burdened with Rs.3000/-

as travel expenses to be paid to the petitioner on the next date of hearing for being irresponsible litigant.

Adjourned to 01.02.2017.

Interim order to continue.”

Today, learned counsel for the complainant has handed over Rs.3000/- to learned counsel for the petitioner, which the petitioner refused to accept out of grace.

It seems that the parents (petitioner and complainant) are helpless and they have not succeeded in looking after the emotion of 04 year child, as they are not ready to compromise the matter.

In view of the totality of the facts and circumstances of the case, order dated 04.05.2016 passed by this Court whereby the ad-interim anticipatory bail was granted to the petitioner is made absolute, subject to the condition that the petitioner shall deposit a F.D of Rs.5 lacs before the trial Court in the name of the complainant within a period of one month. The petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions as envisaged under Section 438 (2) Cr.P.C. The decision with regard to release of the above said amount will be seen by the trial Court at the final stage.

However, the petitioner is at liberty to file fresh bail bonds after presentation of the challan.

Accordingly, the petition stands disposed of.

01.02.2017
G Arora

(RITU BAHRI)
JUDGE

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