

Criminal Misc. No. M- 15306 of 2017 (O&M)

Date of decision : November 24, 2017

Kulwinder Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sherry K. Singla, Advocate for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

Mr. Jagjit Gill, Advocate for the complainant.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 57 dated 12.12.2016 under Section 406/498A IPC registered at Police Station Women, District Bathinda.

At the time of issuance of notice of motion and grant of interim relief to the petitioner, contentions on his behalf were noted as under:-

“ Counsel for the petitioner inter alia contends that the petitioner is ready to rehabilitate the complainant and take her to the place of his posting at Amritsar. It is further submitted that the complainant has levelled allegations against Pali Kaur and Arshdeep Kaur, relatives of the petitioner but during investigation, they have been found innocent. It is further submitted that Court below allowed interim bail to the petitioner but later dismissed his application primarily on the ground that recovery of Rs.6 lakhs and gold ornaments is yet to be effected. It is argued that no effort was made by the Court below to explore possibility of an amicable settlement between the parties.”

It is to be noted that learned counsel for the complainant had appeared on 03.05.2017 itself and the matter was placed before the Mediation and Conciliation Centre of this Court. Mediation between the parties failed. However, the matter was adjourned on request of learned counsel for the parties to further explore the possibility of an amicable resolution of the dispute.

The petitioner as well as the complainant, duly identified by their counsel, are present in Court today. The complainant submits that she is ready and willing to resume matrimonial ties with the petitioner. In case, the petitioner is posted at a family station, she would join him there otherwise she is ready and willing to live with her in-laws as well. The petitioner, however, flatly refuses to cohabit with the complainant under any circumstances. This stand taken by the petitioner now is in stark contradiction to the statement made on his behalf on 03.05.2017. It appears that the petitioner had taken such a stand only with a view to enjoy the interim relief.

Keeping in view the conduct of the petitioner, no ground is made out for affording the concession of anticipatory bail to the petitioner.

This petition is, accordingly, dismissed.

(Lisa Gill)
Judge

November 24, 2017
rts

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No