

Criminal Misc. M- No. 26736 of 2016 (O&M)

Date of decision : May 23, 2017

Sukhdeep Singh

.....Petitioner

Versus

Sukhwinder Kaur

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr.Iqbal Singh Mann, Advocate
for the petitioner.Mr. Nikhil Bhatia, Advocate
for the respondent.

LISA GILL, J.

The petitioner seeks concession of anticipatory bail in complaint case No. Compl./39/2014 dated 05.03.2014 registered under Sections 498A, 406, 506, 323, 148, 149 IPC.

It is submitted that the petitioner has been falsely implicated in this case. Marriage of the petitioner was solemnised with the complainant on 21.02.2010, however, no complaint whatsoever was ever made nor any protest raised by his wife, till the filing of the complaint on 05.03.2014. Furthermore, the petitioner it is submitted has appeared before the learned trial Court pursuant to interim order dated 05.08.2016 passed by this Court. The petitioner undertakes to appear on each and every date fixed before the learned trial Court and face trial. He is a permanent resident of Bathinda and there is no possibility of his absconding. Therefore, this petition be allowed.

Learned counsel for the respondent while opposing this petition submits that there are serious allegations against the petitioner. While admitting that no formal complaint or FIR was lodged against the petitioner since the marriage on 21.02.2010, till the filing of the complaint, it is submitted that efforts were made to solve the issue by convening panchayat. It is, however, not denied that the petitioner has appeared before the learned trial Court and is facing trial.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Interim bail granted to the petitioner by the learned trial Court, pursuant to order dated 05.08.2016 be made absolute subject to the petitioner furnishing fresh bail bonds and surety to the satisfaction of the learned trial Court. It is made clear that there is no stay of the proceedings before the learned trial Court.

May 23, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No