

Criminal Misc. No. M- 27206 of 2017 (O&M)

Date of decision : October 25, 2017

Udham Singh

.....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Deepak Bhardwaj, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

None for respondent No. 2.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 98 dated 07.06.2017 under Section 498A IPC registered at Police Station Kharar, District SAS Nagar.

It is submitted that the the FIR in question has been lodged by respondent No. 2 without there being any truth in the allegations. Respondent No. 2 had earlier filed a complaint on the basis of which FIR No. 142 dated 20.07.2016 under Sections 376, 120B IPC was registered against the petitioner and his brother. The petitioner and his brother were acquitted by the learned trial Court in the said FIR on 18.11.2016 (Annexure P-2) as respondent No. 2 did not support the prosecution version before the learned trial Court. Baseless allegations have been raised in the said FIR against the petitioner. Moreover, the petitioner is ready and willing to reconcile all his differences with respondent No. 2 but she has not even appeared before this Court despite service. The petitioner, it is submitted,

has joined investigation. He is ready and willing to face the proceedings. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Harpal Singh, verifies that the petitioner has joined investigation and his custodial interrogation, it is submitted, is not required.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

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. In the event of his arrest, petitioner shall be released on bail to the satisfaction of Investigating Officer/ Arresting officer. He shall appear before the Investigating agency as and when required. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

October 25, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No