

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-13144-2018

Date of Decision: 30.07.2018

Priyanka

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Paramjeet Phor, Advocate for the petitioner.
Mr. Sukhdeep Parmar, DAG, Haryana.
Mr. A.P.S. Shergill, Advocate for the complainant.

...

Inderjit Singh, J.

Petitioner Priyanka has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.68 dated 26.01.2018, registered at Police Station Assandh, District Karnal, under Sections 120-B, 419, 420 and 494 of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel and learned counsel for the complainant have appeared and contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record I find that the FIR was got registered by complainant Rajender Kumar. As per the allegation, the present petitioner, who is wife of complainant, has remarried with Rampal by changing her name from Priyanka to Priya and without taking divorce from the complainant.

Learned counsel for the petitioner submits that there is a

matrimonial dispute between the petitioner and the complainant. The petitioner has already filed a divorce petition before the registration of this FIR. She is also denying her remarriage with Rampal.

In pursuance of the interim order dated 19.04.2018, passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 19.04.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

30.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No