

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No. 12654 of 2017

DATE OF DECISION :- July 16, 2018

Neetu Kumar @ Neetu Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Mandeep Kumar Dhot, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

Mr. Rajdeep Singh Gill, Advocate for complainant.

This petition for regular bail has been filed by petitioner Neetu Kumar @ Neetu Singh, an accused in F.I.R. No. 145 dated 16.10.2016 for offences under Sections 498-A, 494 IPC registered with Police Station Sadar Sangrur, District Sangrur.

Briefly stated the facts of the case as per prosecution story are that complainant Jaswinder Kaur was married with petitioner Neetu Kumar @ Neetu Singh. At that time, her parents had spent lacs of rupees. The couple was blessed with a daughter. However, the petitioner started maltreating the wife for the reason that she had not given birth to a son. He tortured her so as to make her bring more dowry articles on account of her inability to arrange those amounts, she was forced to leave the matrimonial

home. As alleged, he has contracted a second marriage

Formal F.I.R. was registered on the basis of statement of the complainant. The petitioner had filed an application for grant of pre arrest bail which was dismissed by the court of Sessions as well as this Court. He was arrested by the police on 14.3.2017 and now he is in custody. He had moved an application for regular bail before the Court of Sessions which was assigned to Additional Sessions Judge, Sangrur, however, was dismissed vide order dated 28.3.2017, therefore, he has approached this court. Notice of petition was given to the respondents.

Since the petitioner stated that he was willing to reconcile with his wife and he had four year old child, who was to be looked after by him, accordingly he was granted interim bail vide order dated 30.5.2017. The matter was referred to mediation where a settlement was arrived at between the parties and they decided to resume matrimonial ties by residing together in rented accommodation at Sangrur. However, the complainant made a statement in the Court on 11.7.2018 that petitioner had not complied with the settlement. Though he had taken her along with him but left her at a place and then called the police and got her arrested on the allegation of carrying contraband. Though she was able to convince the police that it was no so. She has stated that an F.I.R. No. 71 dated 26.4.2018 for offence under Section 22 of the NDPS Act, 1985 has been registered against him.

I have heard learned counsel for the petitioner, learned counsel for the complainant and learned State counsel besides going through the record.

The petitioner was granted interim bail to enable him to

reconcile his differences with his wife-complainant. Though he arrived at a settlement but instead of honouring it, he tried to get the complainant involved in a case under Section NDPS Act. He himself is said to have been arrested by the police on 26.4.2018 in a case under NDPS Act. A person with such criminal tendency is not entitled to any relief, therefore, there is no ground to grant regular bail to him, therefore, the interim bail granted to him by this Court stands cancelled.

Keeping in view the allegations levelled by the complainant in the F.I.R., the conduct of petitioner and that he has been found involved in criminal activities, the petition stands dismissed. He may be arrested by the police immediately, if he is not behind bars and if he is in custody in F.I.R. No. 71 dated 26.4.2018, he be deemed to be in custody in the present case also. Necessary intimation be given to the quarters concerned.

(H.S. MADAAN)
JUDGE

July 16, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No