

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

CRM-M-44464-2018

Date of decision: 28.11.2018

Sandeep Kanwar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. K.S. Nalwa, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Ms. G.K. Dulat, Advocate, for
Mr. N.S. Lucky, Advocate,
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This Court was pleased to pass the following order on
16.10.2018:-

“This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner herein in case FIR No. 06 dated 06.08.2013 under Sections 406, 498-A IPC, registered at Police Station Women, Mohali, District SAS Nagar.

Learned counsel for the petitioner would contend that the petitioner herein has been declared as a proclaimed offender by order dated 25.02.2014 while he was resident of Australia and there was noncompliance of Section 82 Cr.P.C. In fact, the said order has been challenged by way of filing a petition CRM-M-12670-

2017, which is now pending for consideration on 26.10.2018. Learned counsel for the petitioner contends that most of the co-accused have been acquitted while submitting that the petitioner is ready to come back to India and face trial but prays for stay of his arrest.

Notice of motion.

At this stage, Mr. N.S. Lucky, Advocate, puts in appearance and files power of attorney on behalf of the complainant. He opposes the grant of anticipatory bail to the petitioner.

I have heard learned counsel for the petitioner and the complainant and prima facie in view of the fact that the petitioner herein is ready to come back to India and face trial, this Court deems it appropriate to stay the arrest of the petitioner limited for a period of two weeks from today and on return, the petitioner is directed to appear before the trial Court and furnish bail bonds and on doing so the trial Court shall release him on bail subject to its satisfaction. Before parting with this order, it is made clear that in case the petitioner does not appear before the trial Court within the stipulated period of two week any interim protection granted today shall stand automatically vacated.

The petitioner is also directed to pay a sum of ₹ 22,000/- as litigation expenses to the complainant/wife while appearing before the trial Court. Adjourned to 28.11.2018.”

Learned counsel for the petitioner submits that in terms of the order dated 16.10.2018, the petitioner has put in appearance before the trial Court and has been admitted to bail by order dated 29.10.2018 and has also deposited the litigation expenses of ₹ 22,000/-.

Learned counsel for the respondent-State, on instructions from the Investigating Officer confirms the factum of appearance by the petitioner before the trial Court and his release on bail.

In view of the fact that the petitioner has been admitted to bail by the trial Court and has been facing the trial, no further orders are called for.

The amount of ₹ 22,000/- deposited towards litigation expenses by the petitioner before the trial Court are ordered to be released to the complainant.

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.