

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

Crl. Misc. M-9958 of 2018 (O&M)
Date of Decision: March 09, 2018

Chirag Nath

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. M.S. Sachdev, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for grant of interim bail to the petitioner in FIR No.6 dated 13.01.2018, under Sections 420, 406, 498-A of Indian Penal Code, registered at Police Station Women Cell, Ludhiana.

Learned counsel for the petitioner *inter alia* contends that the parties herein solemnized marriage as far back as 2006 and resided happily till the year 2014, when a divorce petition was filed, which is now pending in the courts at Delhi. The instant FIR came to be lodged under Sections 420, 406, 498-A of Indian Penal Code after a period of three and half years of the divorce petition, in which parents of the petitioner herein have been granted interim anticipatory bail. It is contended that the anticipatory bail application of the petitioner has been adjourned to 13.03.2018 and prays that interim bail be granted to him as well. It is also argued that a directions

issued by the Apex Court in the case of ***Rajesh Sharma & ors. vs. State of U.P. & Anr.*** (Criminal Appeal No.1265 of 2017, decided on 27.07.2017) have not been followed, insofar as, no committee has been constituted to look into the matter.

I have heard learned counsel for the petitioner and in view of the fact that the bail application of the petitioner is pending for 13.03.2018 before the Additional Sessions Judge, Ludhiana, let the same be decided by the concerned court on the date fixed. However, interim protection, in the shape of stay of arrest, is granted to the petitioner limited to the day his application filed for grant of anticipatory bail is decided by the Additional Sessions Judge, Ludhiana on 13.03.2018. The petitioner is at liberty to raise the pleas, as available to him, before the court seized of the matter.

The petition is disposed of, without issuing notice, limited to the aforesaid directions.

Needless to say, anything observed or said by this court is only for the purpose of disposing of the instant petition and the same would not prejudice the mind of the court in any manner, where the bail application of the petitioner is pending.

March 09, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No