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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 711/2015

NARINDER KAUR

..... Petitioner

Through: Ms.Kanchan, Advocate.

versus

ANDEEP SINGH & ANR

..... Respondents

Through: Mr.Ranjeet Singh, Advocate for
respondent no.1.

Mr.Akshai Malik, APP for the
State/respondent no.2.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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26.07.2018

The present petition under Section 439 (2) of Code of Criminal Procedure, 1973 (in short 'Cr.P.C') prays for cancellation of order dated 19.01.2015 whereby the first respondent was released on anticipatory bail in the context of FIR No.390/2013 of Police Station-Nihal Vihar involving offences punishable under Sections 498-A/406/34 of Indian Penal Code, 1860. The petitioner is wife of the first respondent, she also being the complainant of the aforementioned case. Counsel present on her behalf seeks an adjournment on the ground that parties are engaged in talks for amicable settlement; therefore, hearing on the application may be deferred. The application for cancellation of bail ought not to be allowed to be kept

pending and hanging as democle's sword over the head of the accused i.e. first respondent. Even otherwise, the investigation is stated to have already been concluded and chargesheet filed in the concerned Court, the said Court having taken cognizance thereupon and issued process. The order dated 05.08.2016 copy whereof has been filed by the first respondent on 23.11.2016 would show that the first respondent was released on regular bail by the Court of Magistrate.

In these circumstances, the order dated 19.01.2015 has served its purpose and stands exhausted.

The prayer for its cancellation cannot survive.

The petition is disposed of with these observations.

R.K.GAUBA, J

JULY 26, 2018
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