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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 31.08.2018

+ CRL.M.C. 3345/2013, & CrI. M.A. 12316/2013, 12767/2016 &
31154/2018

RAVINDER PRATAP SINGH

..... Petitioner

versus

STATE GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Ravinder Pratap Singh, Advocate in person.

For the Respondents: Mr. Panna Lal Sharma, Addl. PP for the State with
SI Sunil Dagar
Mr. Kamal Anand, Adv. for R-2

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

31.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Mr. Kamal Anand, Advocate for respondent no. 2 prays for an adjournment. Keeping in view the facts and circumstances, I am not inclined to accede to the request.

2. The petitioner is an accused in FIR No. 237 of 2012 under Sections 420/468/471 of the IPC registered at Police Station Safdarjung Enclave, New Delhi.

3. The subject FIR was registered on the complaint of the wife of the petitioner who had made certain allegations. The petitioner was granted anticipatory bail by order dated 21.09.2012 by the trial court.

4. An application for cancellation of bail under Section 439 (2) Cr. P.C. was made, which application was allowed on 18.07.2013 and the bail granted to the petitioner was cancelled.

5. Thereafter the present petition was filed wherein by an interim order dated 19.08.2013, operation of the order cancelling the bail was stayed. The effect of the interim order dated 19.08.2013 is that the petitioner continues to be on bail.

6. Thereafter the proceedings have been continued from time to time. The interim order dated 19.08.2013 has been in force for the last five years.

7. I am informed that the trial court proceedings are continuing and that the matter before the trial court is at the stage of framing of charge. Charge sheet has been filed on 21.05.2016.

8. In view the fact that the petitioner was granted anticipatory bail by the Trial Court on 21.09.2012 and in terms of the interim order dated 19.08.2013, continues to be on bail till date, FIR is an offshoot of matrimonial dispute and further that the investigation is complete and charge sheet has already been filed, no purpose would be served in incarcerating the petitioner at this stage. Furthermore, there is no

allegation that the petitioner has misused the liberty or violated any of the conditions for grant of bail. Accordingly, the impugned order dated 18.07.2013 cancelling the bail of the petitioner is set aside. The order dated 21.09.2012 admitting petitioner to bail is restored.

9. The petition is disposed of in the above terms.

AUGUST 31, 2018
'rs'

SANJEEV SACHDEVA, J



न्यायमेव जयते