

1.

CRM-M-14650-2019

Date of Decision : 08.05.2019

Sandeep Singh

.....Petitioner

versus

State of Punjab

....Respondent

2.

CRM-M-16640-2019

Date of Decision : 08.05.2019

Rishi Dhiman

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Ramesh Sharma, Advocate
for the petitioner (in CRM-M-14650-2019).Mr. Balbir Singh Jaswal, Advocate
for the petitioner (in CRM-M-16640-2019).Mr. Saurav Khurana, DAG, Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

Both these anticipatory bail applications under Section 438

Cr.P.C. one filed by accused-Rishi Dhiman (CRM-M-16640-2019) and the other by accused-Sandeep Singh (CRM-M-14650-2019), having come up in the same FIR No.21 dated 26.02.2019 are being taken up and disposed off together for the sake of gravity.

The allegations have been levelled by a married lady aged around 25 years, wife of Amandeep Singh, alleging that her husband and his family had ill-treated her, regarding which, the present FIR under the relevant provisions of law got registered by her. It is further alleged that petitioner/accused-Sandeep Singh, happens to be the younger brother of the aforesaid, Amandeep Singh, whereas, Rishi Dhiman happens to be his friend and it is alleged that both these accused had physically beaten the complainant leading to the registration of the present FIR.

Learned counsel for the petitioner(s) submits that the petitioners happens to be the sympathizers of husband-Amandeep Singh, principal accused, in the main dowry case and that they have been subsequently, falsely implicated, as a pressure tactic, to stop them to help in the case against husband- Amandeep Singh and that nothing is to be recovered from them.

The learned State counsel, on instructions from ASI Mahender Singh, Police Station Division 7, Jalandhar, though has readily agreed to the facts that has been detailed, on behalf of the petitioners, before this Court but has opposed the grant of bail.

Appreciating the submissions, admittedly, the present allegations have come about, belatedly, when at the instance of the present

complainant, another FIR was earlier got registered under Sections 406/506/498-A of the Indian Penal Code at Police Station City Roopnagar on same set of allegations and thus, at that time, the petitioners were arraigned as accused persons, at later stage, thus, a debatable issue having arisen over the applicability of these offences again, which is subject to judicial adjudication and the culpability, if any, shall be determined by the Trial Court. Petitioners joining the investigation would suffice the purpose.

In view of the aforesaid, the present petition is allowed. Petitioner would appear before the Investigating Officer within 15 days from today. In the event of arrest, the petitioner shall be released on bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off.

08.05.2019

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No