

102.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26273-2019

Date of decision:04.06.2019

NEHA CHAUHAN

... Petitioner

versus

STATE U.T CHANDIGARH AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sudhir Sharma, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439(2) Cr.P.C. is for cancellation of anticipatory bail granted to respondent No.2 vide order dated 03.10.2018 passed by learned Additional Sessions Judge, Chandigarh in case FIR No.13 dated 03.03.2018 registered under Sections 323, 406, 498-A IPC at Police Station Women Cell, U.T., Chandigarh.

Learned Additional Sessions Judge, Chandigarh while granting anticipatory bail to respondent No.2-Vikrant Singh, vide order dated 03.10.2018, has observed as under:-

*“After going through the rival contentions of the parties, I am of the view that it is well settled that if applicant is entitled for the pre arrest bail otherwise, the said relief cannot be declined merely on the ground that recovery of dowry articles has to be effected from him. Reliance in this regard can be placed on the law laid down in **Bhupinder Singh etc. Versus State of Punjab 2014(2) R.C.R. (Criminal) 109** and **Uday Singh Versus State of Haryana 2001(1) R.C.R. (Criminal) 354.***

So keeping in view the totality of the facts and circumstances of the case, bail application of the applicant stands allowed and the order dated 25.09.2018 vide which the applicant was granted interim bail is made absolute. He shall be released on bail on his furnishing personal bond in the sum of Rs.50,000/- with one surety in the likewise amount to the satisfaction of arresting police officer/Investigating Officer. However, petitioner shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C. File be consigned to the records, after due compliance.”

After going through the order dated 03.10.2018 passed by learned Additional Sessions Judge and perusing the paper book, this Court finds no ground for cancellation of bail granted to respondent No.2.

Dismissed.

However, cancellation of bail would not affect the mediation proceedings, if any pending between the parties.

(HARI PAL VERMA)
JUDGE

04.06.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No