

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55163-2018

Date of Decision: 22.01.2019

Dalip Singh

.. Petitioner

Vs.

Gurdev Kaur

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sukhmeet Singh, Advocate for the petitioner.

...

Inderjit Singh, J. (Oral)

Petitioner Dalip Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in complaint i.e. COMA No.9 dated 13.01.2015 titled as Gurdev Kaur Vs. Dalip Singh etc. under Sections 458/427/506/323/148/149 of the Indian Penal Code, 1860 and Section 3 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Notice of motion was issued.

Respondent served, but none has appeared on her behalf.

I have heard learned counsel for the petitioner and have gone through the record.

In view of interim order dated 15.12.2018, the petitioner has already surrendered before the ld. trial Court and has been released on interim bail.

Learned counsel for the petitioner states that the allegation regarding Section 3 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act has been levelled with false motive. The

complaint is false. The parties are already litigating before the Civil Court earlier to filing of this petition.

It being a complaint case, the petitioner is only to face the trial. He is not required for custodial interrogation. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 15.12.2018, granting interim bail to the petitioner, is made absolute.

22.01.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No