

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-19756 of 2021

Date of Decision: 18.05.2021

Kavita

Petitioner

Versus

State of Punjab and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Parminder Singh Kanwar, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for anticipatory bail in complaint case No. COMI-20 of 2021 dated 22.2.2021, titled as “Sant Ram v. Sukh Singh” under Sections 452, 323, 379 read with Section 34 IPC.

The petitioner is a 37-year old lady. From the allegations in the complaint, it is forth coming that differences are result of a matrimonial dispute between Bhupinder Singh son of the complainant and Madhu daughter of Sukhdev Singh. The petitioner was the match maker (vicholan). Bhupinder Singh is residing in Dubai and his wife is here in India. From the allegations and counter allegations, it is apparent that all sorts of efforts were being made to ensure that Madhu goes to Dubai to her husband. The complaint is a result of circumstances mentioned above.

Learned counsel for the petitioner submits that the petitioner has been summoned in the complaint case. She is ready to appear but she apprehends her arrest. He further submits that the petitioner apart from being a match maker has no role so far as the dispute between the parties regarding going of Madhu to Dubai is concerned.

Learned counsel for the State submits that the petitioner was summoned on 18.10.2019, neither she nor other co-accused have appeared , they are intentionally delaying the proceedings.

At this stage, learned counsel for the petitioner in order to show the bonafides of the petitioner offers to furnish cash security of Rs.50,000/- before the summoning court subject to out-come of the complaint

The under-current of the litigation is the matrimonial dipute. The petitioner was a match maker and she is ready to appear before the summoning court. The machinery provided under Cr.P.C. for appearance is to ensure presence of the accused before the court as and when called for.

Considering the facts and offer made, the petitioner is granted bail subject to deposit of Rs.50,000/- in cash, with the summoning Court within 15 days subject to outcome of the complaint case. The amount deposited shall be kept in an FDR in any nationalized bank. In case of failure of petitioner to appear before the summoning Court, as and when called for, the amount deposited shall be forfeited. It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

As an abundant caution, it is clarified that in case of failure to honour the offer made before this court, the order granting pre-arrest bail shall stand re-called automatically.

The petition is disposed of.

[AVNEESH JHINGAN]
JUDGE

18th May, 2021
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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No