

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M- 20067-2021 (O&M)
Date of Decision: 24.08.2021
(Heard through V.C.)

Sukhdeep Singh

... Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Gurmeet Singh Saini, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

JAISHREE THAKUR, J.(Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No. 08 dated 17.01.2021 under Sections 406, 498-A IPC registered at Police Station Dharamkot, District Moga.

Learned counsel for the petitioner would contend that the dispute that has arisen between the parties pertains out of a marriage between Sukhdeep Singh and Baljit Kaur. It is argued that the petitioner had also filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. It is submitted that the petitioner in order to

show his bona-fides, was willing to rehabilitate the complainant and the minor child.

By an order dated 19.05.2021, notice of motion was issued in the said matter while taking note of the fact that counsel for the petitioner submitted that he has instructions from the petitioner to submit “ that in order to show his bona fides, he would transfer one acre of land in the name of the child for his security and future needs. He undertakes that the same shall be done within three weeks from the date of receipt of certified copy of this order. He, however, submits that the petitioner is ready to join the investigation and because of COVID situation also, retention of the petitioner behind the bars would be dangerous to his life.”

A further perusal of the order dated 19.05.2021, would reflect that the petitioner had been directed to join investigation and was released on interim bail after furnishing bail bonds and surety bonds to the satisfaction of the Arresting Officer while stating that the petitioner would also transfer his 01 acre of land in the name of the minor child for his security and future needs, in addition to the bail bonds and surety bonds as per his offer made.

On the asking of the Court, learned counsel for the petitioner very fairly submits that the petitioner has not complied with the said order and has not transferred the said land in favour of the minor child.

I have heard learned counsel for the petitioner as well as perused the order dated 19.05.2021 passed by the Co-ordinate Bench. The petitioner while seeking to establish his bona-fides and to settle the matter amicably with the complainant had himself offered to transfer one acre of

his land in the name of the minor child, which offer has not been complied as on date.

Consequently, in view of order dated 19.05.2021 and after taking note of the non-compliance thereof, I find no ground to exercise the discretion of this Court to allow the anticipatory bail petition of the petitioner.

Petition stands dismissed accordingly.

24.08.2021
Seema Goran

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No