

CRM-M-52304-2021

Date of Decision: 10.5.2022

Raveena Sharma

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sunny Deep Joneja, Advocate,
Ms. Ridhi Bansal, Advocate and
Ms. Sidhi Bansal, Advocate, for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. H.S. Dhindsa, Advocate, for respondents No.2 and 3.

Rajesh Bhardwaj, J. (ORAL)

The present petition has been filed praying for cancellation of pre-arrest bail granted to respondents No.2 and 3 in a case FIR No.144 dated 29.4.2021 registered under Section 498-A IPC at Police Station Dera Bassi, District SAS Nagar, Mohali, vide interim order dated 16.7.2021.

It has been contended by learned counsel for the petitioner that respondents No.2 and 3 have not come with clean hands before this Court as they have contended that no marriage had taken place and it was only a ring ceremony. He contends that in fact, the marriage had taken place between the petitioner-Raveena Sharma and Manish Puri son of respondents-No.2 and 3.

He has further submitted that after the grant of interim bail by this Court, the petitioner-complainant was attacked and FIR was lodged.

Learned State counsel has placed on record status report by way of affidavit of Gurbakshish Singh Maan, PPS, Deputy Superintendent of Police, Sub-Division Derabassi, SAS Nagar, Mohali. It has been mentioned that FIR has been lodged against Shindi and 4-5 unknown persons.

Learned counsel for respondents No.2 and 3 submits that the present petition has been clandestinely filed only in order to get the interim bail cancelled. He submits that the FIR does not pertain to the petitioner and the same is against unknown persons. He further submits that it was only a ring ceremony and not the marriage.

Heard.

It is apparent from hearing the arguments of learned counsel for the parties that there is clearly a disputed question of fact that whether it was a ring ceremony or the marriage, but the same is totally the question to be determined by the trial Court. So far the lodging of the another FIR after granting the interim bail is concerned, the same is apparently not against respondents No.2 and 3 but against unknown persons. The same is also a matter of investigation. Prima facie, there is no material on record, which can be considered for cancellation of the bail granted to respondents No.2 and 3. The bail can be cancelled on the ground of misuse of concession of bail, however, there is nothing on record to show that respondents No.2 and 3 have ever misused the concession of bail. There is no merit in the petition filed.

The petition stands dismissed.

(RAJESH BHARDWAJ)
JUDGE

10.5.2022

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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No