

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4459-2023
DECIDED ON:2nd FEBRUARY, 2023

SANDEEP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C., has been invoked for the grant of regular bail to the petitioner in FIR No. 296, dated 20.11.2021, under Sections 364, 452, 506 and 34 IPC and Section 25 of Arms Act, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and the present FIR has been registered on the basis false and concocted story by the complainant just to cover up her own misdeeds, as the complainant has solemnized marriage with one Gurpreet Singh 6 years back leaving the company of the petitioner without getting legal divorce. Out of the said wedlock one girl child namely Rajvir Kaur was born, who is also aged approximately 5 years.

It is alleged in the FIR that she got the Panchyati Divorce but the said fact has been denied by the petitioner. Even learned State counsel, appearing on advance notice, is not in a position to support such averment as no such document has been produced.

Be that as it may, in any case even if it is assumed to be correct there is no sanctity of the Panchayati Divorce in the eyes of law.

In view of the afore-said facts and circumstances, this Court is of the opinion that there is no occasion for the petitioner to commit any offence at this stage, as she has solemnized marriage with one Gurpreet Singh 6 years back without getting divorce from the petitioner and also have a child aged 5 years from her second marriage.

Considering the afore-said facts and the facts that challan stands presented; conclusion of trial will take sufficient time, this Court is of considered view that no fruitful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

The petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

2nd FEBRUARY, 2023

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>