

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.221

CRM-M-4450-2023
Date of Decision: 02.02.2023

Sumit Khurana

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Arshpreet Khadial, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. Kashish Garg, Advocate
for the complainant.

TRIBHUVAN DAHIYA, J. (ORAL)

This is a petition under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.19 dated 29.02.2016, registered under Sections 307, 498-A, 406, 323 and 120-B of IPC at Police Station Cantt., District Bathinda.

As per allegations against the petitioner/husband, there is specific entrustment to him. Besides, he caused injuries to the complainant by giving blows on her neck and face. He also tried to strangle her by wrapping *dupatta* around her neck.

Learned counsel for the petitioner has contended that on the same allegations, petitioner's mother has been tried and convicted to one year imprisonment only under Section 498-A IPC. He argues, by relying upon the testimony of complainant, recorded during trial faced by the

petitioner's mother, that on the date of alleged incident, she statedly was visiting Bathinda refinery at about the same time when the petitioner allegedly caused injuries to her. He has also submitted that the petitioner was actually working abroad, and, therefore, could not face trial.

Learned State counsel, upon instructions from ASI Nirmal Singh, submits that the petitioner was declared a Proclaimed Offender and was arrested from the Mumbai airport on landing there on 13.12.2022. Investigation of the case is not over yet. Besides, there is medical evidence regarding the injuries having been caused to the complainant.

In this view of the matter, there is no ground to entertain the petition at this stage, and it is, accordingly, dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

02.02.2023
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No