

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.213

CRM-M-61058-2023 (O&M)

Date of decision : 08.12.2023

Naresh Kumar

..... Petitioner

VERSUS

UT Chandigarh

..... Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. D.D. Sharma, Advocate, for the petitioner.

Mr. Vivek Singh, APP, for UT Chandigarh.

HARPREET KAUR JEEWAN, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.236 dated 19.06.2015 (Annexure P-2) registered under Sections 406, 498-A IPC registered at Police Station Sector 39, Chandigarh.

Learned counsel for the petitioner *inter alia* contends that the petitioner could not appear due to unavoidable circumstances during the trial. As such, he was declared proclaimed person on 20.07.2023 and immediately, thereafter he has been arrested on 03.10.2023. The petitioner undertakes to appear during the trial.

On the other hand, learned State counsel opposes the bail on the ground that the allegations levelled against the petitioner are serious in nature. However, on instructions he further submits that out of total 19 witnesses 16 witnesses have already been examined and the next date of hearing before the trial Court is 21.02.2024.

In view of the above facts and circumstances and considering the fact that the trial will take some time to conclude, the petitioner was immediately arrested after he was declared proclaimed person and that FIR was the result of a matrimonial dispute between the parties, the present petition is allowed.

The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/Duty Judicial Magistrate, concerned.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

(HARPREET KAUR JEEWAN)
JUDGE

08.12.2023
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No