

In the Court of Sachin Sharma, Addl. Sessions Judge, Kapurthala

CNR No.PBKP01-002888-2018

BA No.1037 of 05.06.2018

Dated of Order: 24.07.2018

Next date of hearing: 31.07.2018

Vinod Bala, w/o late Satish Luthra, r/o Flat No.5, Janglat Vibhag (Forest Department), Haryana, Pinjore, Panchkula, Haryana.

.... Applicant/Accused.

Versus.

State of Punjab.

... Respondent/ State

FIR No.91 of 28.05.2018,
U/s 498-A, 406 of IPC,
P.S. City, Phagwara, District Kapurthala.

(Application for bail under Section 438 of Cr.P.C)

Present: Sh.L.M.Chopra, Adv., counsel for the applicant/
accused.
Sh.Arvind Sahai, Addl. Public Prosecutor for the State.
Sh.Munish Sareen, Adv., counsel for the complainant.

O R D E R

Heard.

Admittedly, the present case is the outcome of matrimonial

dispute between the parties and *ex-parte* decree under Section 9 of the Hindu Marriage Act has already been passed in favour of the husband Nitin Luthra prior to the registration of the present FIR and the applicant/accused name in the FIR, being the mother of husband namely Nitin Luthra. Therefore, on account of the aforesaid reason and discussion made in the order dated 12.06.2018 along with the fact that there are no chances that applicant/accused will tamper with the prosecution evidence or threatening the witnesses if released on bail, as such, this court is of the view that in the event of arrest of applicant/accused in the case in hand, she shall be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer. The applicant/accused shall comply with the provisions of *Section 438 (2) Cr.P.C.* and she shall join the investigation pertaining to the case in hand within 07 days from today.

It is further clarified that the Investigating Officer will furnish the detail of the articles recovered from the applicant/accused, as per the list annexed with the original complaint, if any, on the basis of which the present FIR has been registered. Anything said in this order shall not affect the merits of the main trial in any manner.

Now to come up on 31.07.2018 for further proceedings and consideration. Police record be returned and the same be again produced on the date fixed.

Pronounced in open Court.

Dated: 24.07.2018

Kaushal

Next date – 31.07.2018

Purpose -

(Sachin Sharma)
Addl.Sessions Judge,
Kapurthala
UI Code – PB0519