

ITEM NO.48

COURT NO.12

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6036/2017

(Arising out of impugned final judgment and order dated 19-04-2017 in CRLM No. 18374/2017 passed by the High Court Of Judicature At Patna)

SUNIL KUMAR CHOUDHARY @ SANJAY

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ANR.

Respondent(s)

Date : 15-09-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Mr. Ranjeet Kumar, Adv.
Mr. P.S. Nerwal, Adv.
Ms. B. Sunita Rao, AOR

For Respondent(s) Mr. E. C. Vidya Sagar, AOR
Mr. Manish Kumar, Adv.
Mr. Shivam Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard the learned counsel appearing for the parties.

It is clear that the wife left the matrimonial home on 01.12.2014 and has filed the present complaint under Section 498A of IPC only on 23.03.2016 i.e. about one and a half years after the cessation of any relationship between the parties. It is obvious that this appears to be a pressure tactic to get over the husband's Section 9 petition that is pending.

We are told that Mediation has also failed between the parties.

In the circumstances, we are of the view that anticipatory bail should be granted and we therefore, set aside the impugned judgment of the High Court dated 19.04.2017. Bail be granted to the satisfaction of the trial Court.

The Special Leave Petition is disposed of accordingly.

(R. NATARAJAN)
COURT MASTER

(SAROJ KUMARI GAUR)
COURT MASTER