

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36054 of 2015

.....

Date of decision:26.11.2015

Mrinal Bhattacharjee

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Vikrant Pamboo, Advocate for the petitioner.

Mr. Himmat Singh, Assistant Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.592 dated 18.7.2015 registered for the offences under Sections 498-A, 506, 406, 323 and 34 IPC at Police Station Civil Lines, District Gurgaon.

Notice of motion has been issued in this case.

Mr. Himmat Singh, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that the petitioner has already joined the investigation and is not required for custodial interrogation.

The learned State counsel has argued that only one chain and ₹50,000/- remain to be recovered.

Learned counsel for the petitioner argued that from the FIR itself it is clear that the marriage took place by simple ceremonies in Arya Samaj Mandir.

Keeping in view the facts and circumstances of the present case and in view of the fact that the petitioner has already joined the investigation and is not required for custodial interrogation; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 19.10.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.PC.

November 26, 2015.

(Inderjit Singh)
Judge

hsp