

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M No. 36388 of 2014 (O&M)
Date of decision: 13.01.2015

Harjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. C.L. Pawar, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Gulzar Mohd. Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.41, dated 09.05.2014, registered under Sections 406 and 498-A IPC, at Police Station Bhogpur, District Jalandhar.

It is contended that on account of cruel nature of the complainant, the petitioner was forced to leave his house and presently residing in a dera. The complainant in connivance with her parents had lodged the false FIR. In pursuance of the order dated 01.12.2014, the petitioner has joined the investigation.

On the other hand, the learned counsel for the complainant opposes the prayer of the petitioner and contends that the petitioner has solemnized the second marriage. But he is unable to substantiate his argument.

The learned State counsel, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.12.2014, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

13.01.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE