

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

CRM No.M-44396 of 2014 (O&M)

Date of decision: 16.03.2015

Ashwani Kumar

... Petitioner

Vs.

State of Punjab & another

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: None.

.....

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 438 Cr.P.C. seeking the concession of pre arrest bail to the petitioner in FIR No.76 dated 10.11.2014 under Sections 498-A/323/506/34 IPC registered at Police Station Tibber, District Gurdaspur.

While issuing notice of motion, the following order was passed by this Court on 26.12.2014:

“The petitioner who is the husband of the complainant seeks the concession of pre arrest bail in case FIR No.76 dated 10.11.2014 under Sections 498-A/323/506/34 IPC, registered at Police Station Tibber, District Gurdaspur.

Counsel would inter alia contend that the FIR is a counter blast to the petition filed under Section 9 of the Hindu Marriage Act and which was instituted on 13.08.2014. It is further submitted that the petitioner otherwise is ready and willing to join investigation.

Notice of motion for 16.03.2015.

In the event of arrest, the petitioner be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join

investigation as and when called upon to do so and shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C. ”

ASI Jasbir Singh, who has come present apprises the Court that the petitioner has since joined investigation.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 26.12.2014 passed by this Court is made absolute.

Disposed of.

16.03.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**