

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33295-2019

Date of decision : 19.11.2019

Nirmal Singh

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. U.K. Agnihotri, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

GURVINDER SINGH GILL, J (ORAL)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No.0045 dated 03.07.2019, registered at Police Station Mattewal, District Amritsar (Rural), under Sections 498-A and 323 of IPC.
2. The FIR was registered at the instance of Davinder Kaur, wherein it has been alleged that her marriage was solemnized with the petitioner on 28.11.2013. It is alleged that after the marriage, she has been living happily in her matrimonial home with her husband Nirmal Singh. A few days after the marriage, her uncle-in-law Surender Singh started taunting that daughter-in-law of his elder brother Paramjit Singh always meets to him very happily and also irons his dresses and also stated that the car given by the complainant's father i.e. a Ford Figo was not up to their standard. It is further alleged that on 06.02.2018, the complainant's father-in-law Baldev Singh misbehaved with her and threw her out of her matrimonial home. The complainant has levelled allegations that all

the accused, namely, Nirmal Singh (husband), Baldev Singh (father-in-law), Surender Singh (Uncle-in-law) and Sarabit Kaur (aunt-in-law) had been harassing her.

3. Learned counsel for the petitioner has submitted that a perusal of the FIR would show that the allegations were mainly focused against the uncle-in-law and father-in-law of the complainant and that there is no specific allegation against the petitioner and that in these circumstances, petitioner in any case deserves the concession of anticipatory bail.
4. Opposing the petition, learned State counsel, submitted that since the petitioner is specifically named in the FIR, no case for grant of anticipatory bail is made out. Learned State counsel, upon instructions from ASI Ramesh Kumar has however, informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and the nature of allegations which have been levelled in the FIR, which are more or less general in nature qua the petitioner and also that the petitioner has since joined the investigation, custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 19.08.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

19.11.2019

Dinesh

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No