

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Criminal Misc.-M No.16089 of 2020  
Date of Decision: September 30, 2020

Sumit Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Ravinder Singh Bassi, Advocate,  
for the petitioner.

Mr. Ramdeep Partap, DAG, Punjab.

\*\*\*\*\*

**MANOJ BAJAJ, J. (Oral)**

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.04 dated 12.02.2020, under Sections 406 and 498-A IPC, 1860, registered at Police Station, Women-II, Amritsar. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.06.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the marriage between the petitioner and complainant was solemnized on 27.01.2019. It is pointed out that though the complaint was given against the petitioner and others, however, the FIR was registered against the petitioner and his mother only. According to him, the concession of pre arrest bail has been extended to the mother and the allegations in the FIR are*

*general in nature, therefore, the custodial interrogation of the petitioner may not be necessary. He has placed reliance upon judgment passed by the Hon'ble Supreme Court in “Arnesh Kumar Vs. State of Bihar and another”, 2014 (3) R.C.R (Criminal) 527.*

*Notice of motion for 30.09.2020.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Partap Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.06.2020 is made absolute.

Petition stands disposed off.

**September 30, 2020**  
**ramesh**

**( MANOJ BAJAJ )**  
**JUDGE**

**Whether speaking/reasoned**  
**Whether Reportable:**

**Yes/No**  
**Yes/No**

