

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

CRM-M-19802-2020 (O&M)

Date of Decision: 15.10.2020

Nikhil Dhiman

... Petitioner

Versus

State of Punjab & another

... Respondents

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

Present:- Mr. Karan S. Gill, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.100, dated 01.06.2020, under Sections 406/498-A IPC, registered at Police Station Division No.1, Pathankot, District Pathankot.

While issuing notice of motion, the following order was passed by this Court on 21.07.2020:

“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.100 dated 1.6.2020 registered under Sections 406, 498-A I.P.C at Police Station, Division No.1, Pathankot, District Pathankot.

FIR came to be registered on the statement of Ravi Kumar, who asserted that his daughter Shruti got married to the petitioner on 27.4.2019. Allegations are that post marriage there has been continuous harassment and demand for dowry.

Complainant further alleges that an attempt was even made to kill his daughter by way of strangulation and consequently she was removed to the hospital for immediate medical attention. C

Counsel for the petitioner has argued that the allegations are utterly vague. No specific dates have been mentioned as regards demand of dowry. Even the alleged attempt to kill wife of the petitioner by way of strangulation is nothing but a concocted story. No specific entrustment has been reflected in the initial version recorded at the hands of the complainant.

Mr. Balbir Singh Sewak learned Addl. A.G., Punjab, who has joined proceedings was asked a specific query as to whether there is any medical record with the investigating agency to corroborate the version of the complainant as regards his daughter having been taken to hospital after an attempt had been made to kill her. The response is in the negative.

Notice of motion, returnable for 15.9.2020.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from SI Mohit informs the Court that the the petitioner has since joined investigation and is not required for any custodial interrogation.

In view of the above, petition is allowed.

Order dated 21.07.2020 passed by this Court is made absolute.

15.10.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |