

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-20298-2020 (O&M)
Date of Decision:15.09.2020**

Muntiyaz @ Mumtaj

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Karan Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of 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 pre-arrest bail to the petitioner in FIR No.23 dated 22.01.2020 under Sections 498-A, 377, 323, 406, 506 and 34 IPC, Police Station Sadar, Yamunanagar, District Yamunanagar.

While issuing notice of motion, the following order was passed by this Court on 24.07.2020:-

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

Petitioner seeks concession of pre-arrest bail in FIR No.23 dated 22.01.2020 under Sections 498-A, 377, 323, 406, 506 and 34 IPC, Police Station Sadar Yamunanagar, District Yamunanagar.

Counsel would inter alia contend that the marriage between the parties was solemnized in the year 2006 and out of wedlock there are two daughters. Further submitted that prior to registration of the FIR there has not even been a single complaint in the 14 years of matrimony. It is further asserted that the petitioner is ready and willing to settle the matter and even if the same amounts to parting of ways.

Notice of motion returnable for 15.09.2020.

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 on instructions from HC Pardeep Singh, informs the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In view of the above, petition is allowed. Order dated 24.07.2020 passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

September 15, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No