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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.26856 of 2020

Date of Decision: 10.12.2020

AMIT KUMAR AND ANOTHERPetitioners

Vs

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Veneet Sharma, Advocate
for the petitioners.

Mr. Manreet Singh Nagra, Asstt. A.G., Punjab.

Mr. PBS Goraya, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioners seek grant of anticipatory bail in case bearing FIR No.34 dated 11.08.2020 registered under Section 498-A IPC (offence under Section 406 IPC added vide Rapat/DDR No.22 dated 21.08.2020) at Police Station Women Cell, Amritsar City, District Amritsar.

On 09.09.2020, following order was passed by the Co-ordinate Bench of this Court:-

*“Prayer in this petition is for grant of anticipatory bail in
FIR No.34 dated 11.08.2020 under Section 498-A IPC and*

Section 406 IPC (added vide rapat/DDR No.22 dated 21.08.2020), registered at Police Station Women Cell, Amritsar City, District Amritsar.

Learned counsel for the petitioners submits that petitioner No.1 is working as Senior Assistant in Guru Nanak Dev University, Amritsar and petitioner No.2 was previously working as Lecturer of Science in DAV College of Education, Amritsar and both of them are separate in mess and have no interference in the matrimonial life of the complainant and her husband, who is brother of petitioner No.1. It is further submitted that husband of the complainant is also an educated person, who is working in a private company and the matrimonial discord is on account of temperamental difference between them and the petitioners have nothing to do with the same. It is also submitted that prior to registration of the FIR, an inquiry was conducted by Addl. Deputy Commissioner of Police, HQ, Amritsar and as per the inquiry, allegations against the petitioners were not proved. Subsequently, the FIR was registered and the petitioners have been falsely implicated.

Notice of motion for 10.12.2020.

In the meantime, the petitioners are directed to appear before the Investigating Officer within a period of 10 days to join investigation and they will be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. They will make themselves available for interrogation by a police officer as and when required;*
- 2. They will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. They will not leave India without previous permission of the Court.*

[ARVIND SINGH SANGWAN]
JUDGE

09.09.2020
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Learned counsel for the petitioners submitted that in compliance of the aforesaid order, petitioners have joined the investigation on 15.09.2020. Petitioners are *jeth* and *jethani* of the complainant. Husband has already been granted regular bail by this Court vide order dated 03.12.2020 passed in CRM-M No.39386 of 2020. Mother-in-law has already deposited an amount of Rs.5 lakhs before the Trial Court in the shape of Fixed Deposit so as to answer any recovery of dowry articles, if any, at the relevant stage.

Learned State counsel on instructions from ASI Inderjeet Singh admitted the aforesaid fact. He further submitted that the petitioners are no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 09.09.2020 is made absolute. Petitioners shall keep on joining the investigation as and when required to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

December 10, 2020
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No