

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

CRM-M-33212-2020

Date of decision:-16.10.2020

Manpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.R.S. Sohi, Advocate
for the petitioner.

Mr.H.S. Sullar, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner –Manpreet Singh, aged 33 years, an accused in FIR No.0009 dated 4.9.2020 for the offence under Sections 498-A and 406 IPC, registered at Police Station PS Women, District Ferozepur.

The prosecution story, in brief, is that FIR in question was registered on the basis of statement of complainant Komal Kataria daughter of Paramjit Singh wherein she contended that she was married with petitioner/accused Manpreet Singh in the year 2017; she was harassed, maltreated and treated with cruelty by petitioner/husband and his family members, who used to raise demand of more dowry from her; the petitioner/accused had been keeping illicit relations with other woman and taking medicines adversely effecting his sexual potency; that her

husband, the petitioner had received Rs.2 lakhs from her brother namely Amrinder Singh but he did not return the amount; she had been turned out of the matrimonial home on 22.9.2019.

Apprehending his arrest in this case, the petitioner had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application, however, his such request was declined by learned Additional Sessions Judge, Fast Track Court, Exclusively dealing with Rape Cases, Ferozepur vide order dated 13.10.2020. As such, the petitioner has approached this Court asking for similar relief.

Notice of the petition is given to respondent – State. Mr.H.S. Sullar, DAG, Punjab has put in appearance on behalf of respondent – State and accepts notice on behalf of respondent – State. He opposes the petition.

I have heard learned counsel for the parties besides going through the records.

The allegations against the petitioner/accused are quite grave and serious. In case of **State represented by the C.B.I. Versus Anil Sharma, 1997(4) R.C.R.(Criminal) 268**, Hon'ble Apex Court had observed that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is on anticipatory bail, in a case like this interrogation of suspected person is of tremendous advantage in getting useful informations.

Custodial interrogation of the petitioner is definitely required for complete and effective investigation and to effect the recovery of Istridhan articles of the complainant.

In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

16.10.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No