

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

**208**

**CRM-M-14037-2021  
Decided on : 30.09.2021**

Mukesh Kumar Kakkar

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

**(Through Video Conferencing)**

PRESENT: Mr. B.S. Walia, Advocate  
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab  
assisted by ASI Nathi Ram.

Mr. P.L. Singla, Advocate  
for respondent No.2 (complainant).

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**MANJARI NEHRU KAUL, J. (Oral)**

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 43, dated 23.01.2021, under Sections 406, 498-A, 420 of IPC, registered at Police Station Zirakpur, District SAS Nagar (Annexure P-1).

Learned counsel for the petitioner submits that the FIR in question emanates due to a matrimonial dispute between the parties, wherein, false allegations have been levelled against the petitioner by his wife i.e. respondent No.2 (complainant), that she was subjected to mental and physical harassment on account of dowry demands.

Vide order dated 26<sup>th</sup> March, 2021, this Court had directed the petitioner to join investigation. Learned counsel submits that pursuant to the aforesaid order, passed by this Court, the petitioner has joined

investigation.

Learned counsel appearing on behalf of respondent No.2 (complainant) has opposed the grant of anticipatory bail to the petitioner by urging that there were specific allegations of harassment on account of dowry demands in the FIR, in addition to allegations that the petitioner had in his possession some blank cheques of the complainant and had also forged signatures of his wife i.e. respondent No.2 (complainant) on some of them and thereafter misused the same.

Learned State counsel on instructions from ASI Nathi Ram, states that the petitioner has joined investigation and the investigating agency does not require his further investigation. Learned State counsel further submits that all the recoveries stand affected and hence, his custodial interrogation is not required.

Heard and perused the material on record.

In the wake of the instructions received by learned State counsel, the present petition is allowed and interim order dated 26<sup>th</sup> March, 2021, passed by the coordinate Bench of this Court, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**September 30, 2021**

*J.Ram*

*Whether speaking/reasoned: Yes/No*  
*Whether Reportable: Yes/No*