

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

CRM-M-34740-2021
Decided on : 09.12.2021

Gurmail Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Deepak Kundu, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.274 dated 29.07.2021 under Sections 323, 498-A, 509, 511, 376, 377, 354-A, 34 IPC 1860 registered at Police Station City Dabwali District Sirsa.

Learned counsel for the petitioner states that the petitioner has since joined the investigation in compliance of order dated 25.08.2021, which was passed in the following terms:

“Inter alia contends that false allegations have been levelled against the petitioner that he along with the other accused subjected the complainant to mental harassment as he and his family was dissatisfied with the dowry received at the time of marriage. Learned senior counsel submits that in fact it was a love marriage performed between the complainant and the son of the petitioner. After her marriage, the complainant hardly stayed in her matrimonial home as she along with the petitioner's son had moved to her parental house at Dabwali from Jalandhar. Learned senior counsel while inviting the attention of this court to the FIR, annexed as Annexure P1 with this petition, submits that it clearly revealed that the complainant had given one application

on 21.05.2021 wherein no allegation attracting the mischief of Sections 354-A, 376, 377 IPC were made and even the other allegations were vague. However, subsequently on 22.06.2021 she had moved a fresh application wherein the allegations which now find reflected in the FIR in question were made. He submits that all these circumstances leave no manner of doubt that fabricated and concocted allegations have been levelled against the petitioner with an oblique motive. Learned senior counsel also invited the attention of this court to Annexure P2, which is a Dispossession Notice given by him, wherein he dispossessed both the complainant and his son from all his moveable and immovable property.”

Learned State counsel on instructions from PSI Manish Kumar states that the petitioner has joined investigation and is no longer required for further interrogation much less custodial interrogation.

Heard learned counsel and perused the material available on record.

In view of the above, the petition is allowed and interim order dated 25.08.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No