

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-44333 of 2021
Date of decision:14.12.2021

Harpreet Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Nitin Narula, Advocate
for the petitioner.

Mr. R.S.Khaira, AAG, Punjab.

None for respondent No.2.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.74 dated 19.06.2021 registered under Sections 498-A, 506 of Indian Penal Code, 1860 at Police Station Arniwala, District Fazilka (Annexure P-1).

As per the case of the prosecution, FIR (Annexure P-1) came to be registered on the complaint of Mandeep Kaur-respondent No.2 on the allegation that her marriage was solemnized with the petitioner. Her husband as well as his parents, who are accused, physically assaulted her and demanded dowry. She alleged that despite the fact that a compromise took place with the intervention of the respectables, about a year ago, the accused again quarreled with her, assaulted her and turned her out of the matrimonial home alongwith her children. Since then, she is staying with

her parents and about two months ago, the accused came and took both the children.

While issuing notice of motion, this Court granted the interim protection to the petitioner and passed the following order on 22.10.2021:-

“It is the contention of the learned counsel for the petitioner that the children of the petitioner, as per the allegations in the FIR, went with him two months prior to the date of moving of the application for registration of the FIR. Counsel states that the petitioner is ready and willing to join the investigation and cooperate with the same.

Notice of motion.

On the asking of the Court, Mr. Sandeep Singh Deol, DAG, Punjab, accepts notice on behalf of the State of Punjab.

Let the petitioner join investigation and appear before the Investigating Officer on 27.10.2021 at 11:00 AM at Police Station Arniwala, District Fazilka. On his doing so, petitioner be released on anticipatory bail subject to his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

List for consideration on 14.12.2021.”

Upon instructions from ASI Girish Kumar, State counsel

submits that the petitioner has joined the investigation and is no longer required for custodial interrogation.

As per office report, the complainant-respondent No.2 has been served, though no one has put in appearance on her behalf.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 22.10.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

December 14, 2021

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No