

CRM-M-477-2022

Date of decision: 19.04.2022

PARVEEN KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Maninder Arora, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI, J. (ORAL)

On 10.01.2022, the following order was passed:-

“The matter has been taken up through video-conferencing due to COVID-19 pandemic.

Through instant petition, petitioner is seeking pre-arrest bail in case bearing FIR No.90 dated 23.11.2021 under Sections 406 and 498-A IPC registered at Police Station Woman Cell, Patiala.

Learned counsel for the petitioner contends that there are general allegations levelled in the FIR without any specific instance. The mother of the petitioner has been granted interim bail by the Court of learned Additional Sessions Judge, Patiala. He further submits that the petitioner has already instituted a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights and the present FIR has been lodged as a counter blast.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 19.04.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. Furthermore, the matrimonial dispute has been amicably settled between the parties. The petitioner and the complainant are now happily residing together in the matrimonial home.

On instructions from HC Paramjit Singh, learned State counsel has pointed out that the offence under Section 498-A IPC has been deleted, the petitioner has joined the investigation on 19.01.2022 and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 10.01.2022, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition is allowed.

19.04.2022

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No