

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1525-2022
Date of Decision: 20.04.2022

MUBASAR HUSSAIN @ TOYAB ... PETITIONER
V/S
STATE OF PUNJAB AND OTHERS ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Amandeep Kaur, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

Mr. Ashok Bhardwaj, Advocate for respondent Nos.2 and 3.
* * *

VIVEK PURI, J. (ORAL)

On 14.01.2022, following order was passed:

“Petitioner is seeking anticipatory bail in case bearing FIR No. 158 dated 30.11.2021, under Sections 498-A, 406, 120-B IPC, registered at Police Station City Dhuri, District Sangrur.

It has been stated that petitioner is the husband of the daughter of the complainant, the marriage was solemnized on 06.01.2019, the complaint has been submitted against 7 persons but the FIR has been registered only against the petitioner and his parents. The parents of the petitioner have been granted pre-arrest bail and the recovery of articles of *Istridhan* has already been effected.

Notice of motion.

Ms. Monika Jalota, DAG Punjab has put in appearance on behalf of the State.

Adjourned to 20.04.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance

of the interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions of ASI Karamjit Singh has stated that the petitioner has joined the investigation on 08.02.2022, he is not involved in any other case, challan is yet to be presented and the matter is still under investigation.

Mr. Ashok Bhardwaj, Advocate has put in appearance on behalf of respondent Nos.2 and 3 and has opposed the bail application on the score that recovery of articles of Istridhan are yet to be effected.

It will be a debatable and moot point during the course of trial with regard to the entrustment, demand and recovery of articles of Istridhan. The petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 14.01.2022 is made absolute.

The petition stands allowed.

20.04.2022

Janki

(VIVEK PURI)
JUDGE

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