

222 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1629-2022

Date of Decision: 28.07.2022

GURDEEP SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Baljinder Singh, Advocate
for the petitioner.

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

Mr. Chirag Girdhar, Advocate for
Mr. Rajesh Kumar Girdhar, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

On 14.01.2022, following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No. 40 dated 27.10.2021 under Sections 498-A, 494, 506 of IPC, registered at Police Station Women Cell, Bathinda.

Learned counsel for the petitioner contends that the petitioner is the father-in-law of the complainant. The marriage was solemnized about four years ago. No dowry was given at the time of marriage, no case has been registered under Section 406 IPC and the offence under Section 494 IPC is bailable. There are contradictory allegations with regard to the demand levelled in the FIR and in the proceedings under Domestic Violence Act and furthermore, the present case is a counter-blast to the petition under Section 9 of the Hindu Marriage Act instituted by the husband and the recovery suit instituted by the petitioner and his son.

Notice of motion.

Ms. Monika Jalota, DAG Punjab has put in appearance on behalf of the State and Mr. Hitesh Verma, Advocate has put in appearance on behalf of the complainant.

Adjourned to 18.04.2022.

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 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 have instituted a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent and a separate petition bearing CRM-M-30733-2022 for quashing of FIR on the basis of compromise has already been instituted.

Learned State counsel, on instructions from ASI Tara Singh, has stated that the petitioner has joined the investigation and his custodial interrogation is not required.

Learned counsel for the complainant has not assailed the aforesaid factual aspects as asserted by learned counsel for the petitioner.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 14.01.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

28.07.2022
smriti

(VIVEK PURI)
JUDGE

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