

206 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1945-2022

Date of Decision: 06.09.2022

SANJEEV KUMAR

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. P.K.S.Phoolka, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Munish Puri, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

On 18.01.2022, the following order was passed:-

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

By this petition, the petitioner is seeking anticipatory bail in case bearing FIR No.195 dated 02.12.2021 under Sections 498-A and 406 IPC registered at Police Station Shahpur Kandi, District Pathankot.

Learned counsel for the petitioner contends that it was the second marriage of both the parties, it was a simple affair and only customary gifts were exchanged. Even in the FIR, there is no allegation with regard to any specific article of istridhan having been entrusted to the petitioner. At the earlier instance, the petitioner had submitted an applicaton dated 15.09.2018 (Annexure P-2) to Senior Superintendent of Police, Moga, wherein, it has been alleged that his wife has left the house and carried all her articles including jewellery. However, the matter was subsequently amicably settled with the intervention of the respectables.

Notice of motion.

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

Adjourned to 28.04.2022.

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 in the Mediation and Conciliation Centre. The complainant alongwith minor daughter is happily residing in the matrimonial house with the petitioner.

Learned State counsel, on instructions from ASI Sunder Singh, has not assailed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioner is not required.

Learned counsel for the complainant has also not disputed the aforesaid factual assertions as put forth by the 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 18.01.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

06.09.2022
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(VIVEK PURI)
JUDGE

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