

212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-36478-2022 in/and
CRM-M-4218-2022
Date of Decision: 27.09.2022

VIKRAMJIT SINGH MAUR ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Jai Vir Yadav, Senior Advocate with
Mr. Harshvardhan Ranga, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

CRM-36478-2022

This is an application for addition of offence under Section 201 IPC as the same is stated to have been added subsequent to the registration of FIR.

For the reasons stated in the application, the same is allowed.

Registry to incorporate the offence under Section 201 IPC in the head note and prayer clause of the petition.

Application is disposed of.

CRM-M-4218-2022

On 02.02.2022, the following order was passed:-

“Vikramjit Singh Maur-petitioner is seeking anticipatory bail under Section 438 Cr.P.C in the case bearing FIR No. 288 dated 10.07.2021, under Sections 406/498-A IPC, 1860, registered at Police Station Patran, District Patiala.

Learned counsel for the petitioner contends that FIR has been got registered by the father of the wife of the petitioner. The petitioner was earlier married but the marriage ended in a divorce. Subsequently, the petitioner had solemnized marriage with the daughter of the complainant on 27.01.2017. The wife of the petitioner is residing in Spain. The petitioner had instituted a petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights and the same was allowed ex parte vide judgment

dated 03.06.2020 passed by the learned Principal Judge, Family Court, Fatehabad. Thereafter, the marriage of the petitioner with the daughter of the complainant has also been dissolved in terms of the Court order passed in Spain and the parents of the petitioner have been granted anticipatory bail by the Court of Sessions. It has been further stated that general and vague allegations have been levelled in the FIR.

Notice of motion.

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

Adjourned to 09.05.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned Senior counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

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

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 02.02.2022 vide which the petitioner has been granted interim bail, is made absolute. However, it is made clear that the order shall also be construed with regard to offence under Section 201 IPC

Petition is allowed.

27.09.2022
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(VIVEK PURI)
JUDGE

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