

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-4434-2022

Date of Decision: 22.08.2022

GURPREET SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Keshav Chadha, Advocate for
Mr. Navjot Singh, Advocate
for the petitioner.

Mr. Harpreet Singh, Additional A.G.Punjab.

Mr. P.S.Paul, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

On 03.02.2022, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No.114 dated 25.08.2021 under Sections 406 and 498-A IPC, registered at Police Station Nurpur Bedi, District Rupnagar.

The FIR has been registered on the basis of the complaint submitted by Kamla Devi, wife of the petitioner.

Learned counsel for the petitioner contends that the petitioner is serving in Army and posted in Jammu & Kashmir. He has also instituted a petition under Section 13 of the Hindu Marriage Act for dissolution of marriage and the FIR has been lodged as a counter-blast. Furthermore, Debo Rani, the mother-in-law of the complainant has also filed an application for anticipatory bail wherein the matter has been referred to Mediation Centre and her arrest has been stayed. The mediation proceedings are stated to be still pending and it has been further stated that even the petitioner will join the mediation proceedings either physically or through virtual mode as may be convenient to the Mediator.

It has further been stated that the mother-in-law has already paid Rs. 22,000/- as litigation expenses to the complainant in terms of the order passed in CRM-M-44305-2021.

Notice of motion.

Ms. Ruchika Sabherwal, AAG Punjab has put in appearance on behalf of the State.

Mr. Parampreet Singh Paul, Advocate has filed memo of appearance on behalf of the complainant.

Adjourned to 05.05.2022.

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.”

As per the report, the parties could not reach any amicable settlement, despite best efforts, during the course of mediation proceedings.

Learned 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 Dharampal, has not assailed the aforesaid factual aspect(s) 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 03.02.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

22.08.2022
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(VIVEK PURI)
JUDGE

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