

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

215+101

**CRM-M-9960-2022 (O & M)
Date of Decision:14.09.2022**

VIJAY KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Aditya Pratap Singh, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

CRM-10504-2022

Application is allowed as prayed for.

Affidavit dated 14.03.2022 of the petitioner is taken on record
as Annexure P-3.

Main Case

On 21.03.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.4 dated 08.01.2022, registered for offences under Sections 406 and 498-A of the Indian Penal Code, 1860, at Police Station Taragarh, Tehsil and District Pathankot, Punjab (Annexure P-1).

Counsel for the petitioner submits that marriage of the petitioner was solemnized with the complainant on 04.03.2017, but a dispute arose when the petitioner, who is serving with the CRPF, was posted at a non-family station and the complainant could not accompany him. While denying the allegations levelled in the FIR, counsel submits that the petitioner is willing to return the dowry articles in his possession, as mentioned by him in his affidavit dated 14.03.2022, which is

taken on record. He submits that the petitioner is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Amandeep Singh Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State.

List on 14.09.2022.

The petitioner shall appear before the Investigating Officer at Police Station Taragarh, Tehsil and District Pathankot on 20.04.2022 at 10.00 A.M. and join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

On the day of joining the investigation, the petitioner will return the articles mentioned by him in his affidavit dated 14.03.2022 to the Investigating Officer, which will be handed over to the complainant in accordance with law. The return of articles by the petitioner will be without prejudice to his right of defence.”

Upon instructions from ASI Satpal, State counsel submits that the petitioner has joined the investigation, recovery has been effected from him and he is no longer required for custodial interrogation.

In view of the above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 21.03.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

14.09.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No