

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

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**CRM-M-8297-2020
Decided on : 24.02.2022**

Lalit Mahajan

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. G.S. Bedi, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Pawan Kumar.

Mr. Maninderjit Singh, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 30, dated 01.02.2020, lodged under Sections 498-A, 406, 323 of IPC, registered at Police Station Dinanagar, District Gurdaspur, Punjab (annexed as Annexure P-1).

Learned counsel for the petitioner submits that it was essentially on account of temperamental differences and marital discord between the parties that the FIR in question came to be registered, wherein, false and fabricated allegations had been levelled against him of subjecting his wife to mental and physical harassment. Learned counsel further submits that though earnest efforts were made, however, the parties failed to amicably resolve their disputes. It has been further submitted that in compliance of the order dated 23rd November, 2021, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Pawan Kumar, does not dispute the factum of the petitioner having joined investigation. He, on further instructions submits that since the petitioner has joined investigation, his further investigation, much less, custodial interrogation is not required, as it had come during investigation that all the dowry articles were taken away by the complainant herself when she left her matrimonial home on 20th May, 2020.

Learned counsel for the complainant, however, disputes the submissions made by the counsel opposite *qua* the complainant having taken away all her jewellery etc. with her and he insists that the dowry articles are still in the possession of the petitioner.

I have heard learned counsel for the parties and perused the material on record.

Since the accused has joined investigation and is not required for further investigation by the investigating agency coupled with the fact that there is no likelihood of the petitioner absconding, the petition is allowed and interim order dated 23rd November, 2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 24, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*