

203 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10867-2022 (O&M)

Date of Decision: 14.07.2022

KULBIR

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Ashish Sindher, Advocate for
Mr. Pardeep Chhoker, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana.

Mr. Devender Kumar, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

On 30.03.2022, the following order was passed in the main
case:-

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.235 dated 15.11.2021, registered under Sections 323/34/406/498-A/506 IPC, 1860 at Police Station Hassanpur District Palwal.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 10.03.2019. The petitioner has never disputed the paternity of the son born from the wedlock. He has also instituted a petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights, prior to the registration of FIR.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG, Haryana accepts notice on behalf of the respondent-State.

Adjourned to 14.07.2022.

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 joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

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 Renu, has stated that the petitioner has joined the investigation and his custodial interrogation 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 30.03.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

14.07.2022
smriti

(VIVEK PURI)
JUDGE

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