

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

**CRM-M-12986-2022
Date of Decision: 01.09.2022**

ANOOP KUMAR

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rajneesh Jangra and Mr. Kanwar Abhay Singh, Advocates
for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

Mr. N.K.Verma, Advocate for respondent No.2.

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VIVEK PURI, J. (ORAL)

On 29.03.2022 following order was passed:

“Petitioner is seeking anticipatory bail in case bearing FIR No. 124 dated 16.11.2021 under Sections 406 & 498-A IPC, registered at Police Station Women, Police Commissionerate Ludhiana.

Learned counsel for the petitioner states that the marriage of the petitioner was solemnized with the complainant on 13.12.2018. There is no allegation with regard to demand of any dowry raised by the complainant. Precisely, the controversy as projected by the complainant is to the effect that petitioner is impotent and she has also instituted a petition under Section 12 of Hindu Marriage Act seeking nullity of marriage. The petitioner has also instituted a petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights.

Notice of motion.

Mr. A.A.Pathak, Addl. AG Punjab accepts notice on behalf of the State.

Adjourned to 24.05.2022.

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.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court. Furthermore, the complainant has taken the entire jewellery with her when she left the matrimonial house.

Learned State counsel has stated that the petitioner has joined the investigation.

Learned State counsel as well as learned counsel for the complainant submit that 56 gms of golden jewellery is yet to be recovered.

The controversy as to whether the golden jewellery was entrusted to the petitioner and has been misappropriated by him will be a debatable and moot point during the course of trial. The petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 29.03.2022 is made absolute.

The petition stands allowed.

01.09.2022

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No