

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12951-2022
Date of Decision: 20.05.2022

KUSHKIRAT SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Inderjit Sharma, Advocate for the petitioner.
Ms. Ruchika Sabherwal, AAG Punjab.

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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. 50 dated 24.07.2021 under Sections 498-A, 406, 506, 120-B IPC, registered at Police Station Thulliwal, District Barnala.

Learned counsel for the petitioner states that the marriage of the petitioner was solemnized with the complainant on 30.08.2020. The petitioner is serving in Indian Army and is presently posted at Nagaland. On account of exigency of service and posting in insurgency area, he could not carry the complainant with him at the place of his posting. Complainant along with her father have carried the entire articles of jewellery and certificates. The petitioner is ready to handover the other articles of *istridhan* which include furniture items only.

Notice of motion.

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

Adjourned to 20.05.2022.

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.”

It has been stated by learned counsel for the petitioner that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

On the contrary, learned State counsel, on instructions from ASI Manjit Singh, asserts that though the petitioner has joined the investigation but recovery of 6 tolas of gold is yet to be effected.

The controversy as to whether any articles of *Istridhan* were entrusted and misappropriated by the petitioner will be a debatable and moot point during the course of trial.

Considering 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.

20.05.2022

Janki

**(VIVEK PURI)
JUDGE**

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