

280 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14385-2022

Date of Decision: 18.07.2022

SUSHIL KHANNA

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Chandandeep Singh, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Jashan Jot Singh Uppal, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

On 05.04.2022, the following order was passed:-

“Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No.03 dated 27.01.2022 under Sections 406 and 498-A IPC, registered at Women Police Station, Malerkotla.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 23.11.2017. At the earlier instance, the complainant had roped in all the family members of her husband. Furthermore, the FIR has been registered only against the petitioner and his mother, namely, Neelam Khanna. Even at the earlier instance, there were matrimonial disputes but the same were amicably settled. The mother of the petitioner has been granted interim bail. The dispute cropped up when the petitioner came to know of some serious mental ailments being suffered by the complainant which was concealed at the time of marriage.

Notice of motion.

Mr. Hittan Nehra, Additional Advocate General, Punjab, accepts notice on behalf of respondent-State.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.

To be heard alongwith CRM-M-13303-2022 on
18.07.2022.”

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 Balvir Singh, 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 05.04.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

18.07.2022
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(VIVEK PURI)
JUDGE

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