

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

(Sr. No. 201)

CRM-M No.15018 of 2022

Date of decision : 05.09.2022

Kashif Khan

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Mohd. Salim, Advocate for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.10 dated 16.03.2022 registered under Sections 498-A and 406 IPC at Women Police Station Malerkotla, district Malerkotla.

On 08.04.2022, this Court had passed the following order : -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case on account of a matrimonial dispute between the petitioner and the complainant; the petitioner has no other criminal case pending against him; the allegations in the FIR with regard to cruelty and entrustment of Istridhan are absolutely vague and unsubstantiated; in the inquiry conducted by the State the complainant had stated that she did not want to pursue criminal action against the petitioner; the petitioner is still ready and willing to take back the complainant as his wife and that the petitioner is

also ready and willing to join and cooperate with the investigation as and when called by the investigating agency.

Notice of motion.

Ms. Gunkirat Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 05.09.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.10, dated 16.03.2022, registered under Sections 498-A, 406 IPC at Women Police Station Malerkotla, District Malerkotla, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 08.04.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

05.09.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No