

208 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-23887-2021  
Date of Decision:20.05.2022

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

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Sahil Khunger, Advocate for  
Mr. P.S.Punia, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

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**VIVEK PURI, J. (ORAL)**

Petitioner is seeking anticipatory bail in case bearing FIR No.  
63 dated 24.04.2021 under Sections 406, 498-A IPC, registered at Police  
Station Baghapurana, District Moga.

On 24.02.2022, following order was passed:

“Learned State counsel has pointed out that the arrest  
of the petitioner has been stayed and he is yet to join the  
investigation. The FIR has been registered on the basis of  
marital dispute and even the efforts of amicable settlement  
through mediation remained unsuccessful.

Adjourned to 20.05.2022.

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 complies with  
other conditions as specified under Section 438(2) Cr.P.C.”

At the earlier instance, the matter was referred to Mediation  
and Conciliation Center. However, the same was unsuccessful.

Learned counsel for the petitioner contends that the petitioner  
has joined the investigation in pursuance of the interim directions issued by

this Court. Furthermore, in pursuance of the order dated 02.07.2021, the motor-cycle has been returned to the complainant.

Learned State counsel, on instructions of ASI Buta Singh asserts that the petitioner has joined the investigation and the custodial interrogation of the petitioner is not required.

Learned counsel for the complainant has opposed the bail application on the score that the motor-cycle and other articles of *Istridhan* have not yet been recovered.

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.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 24.02.2022 is made absolute.

The petition stands allowed.

20.05.2022

Janki

(VIVEK PURI)  
JUDGE

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