

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-25609-2021
Decided on : 02.03.2022

Kuldeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ankit Grewal, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Ravi Malhotra, Advocate
for the complainant.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.79 dated 16.06.2021 under Sections 406, 498-A IPC 1860 registered at Police Station Shambhu District Patiala.

Learned counsel for the petitioner states that on account of a marital discord between the parties, FIR in question was registered against the petitioner. He further submits that pursuant to order dated 07.07.2021, passed by this Court, the petitioner has joined the investigation.

In compliance of order dated 30.11.2021, learned State counsel on instructions from ASI Veena Rani submits that no doubt a FIR No.401 dated 10.07.2021 was indeed registered against the petitioner at Police Station Zirakpur, Mohali, however, it pertains to the same occurrence and allegations, which are spelt out in the FIR in question, which was registered at Police Station Shambhu on 16.06.2021. He submits that the petitioner pursuant to order dated 07.07.2021 has joined the investigation and cooperated with the investigating agency by getting recovered all the household articles etc. which were left behind by the complainant when she left her matrimonial home. He further submits that it had come during investigation that the complainant had taken away all her gold ornaments

and hence, the petitioner was no longer in possession of the same. Learned State counsel on further instructions states that the petitioner is not required for further investigation.

Learned counsel for the complainant, however, has opposed the prayer made by the petitioner by reiterating the allegations levelled in the FIR in question. He further submits that the complainant was physically assaulted by the petitioner and hence, this extra ordinary concession of anticipatory bail be not granted to him.

On a query put to learned State counsel as to what was the nature of injuries allegedly received by the complainant, he on instructions submits that all the injuries were opined to be simple in nature.

Heard learned counsel for the parties and perused all the relevant material.

In view of the above, the petition is allowed and interim order dated 07.07.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

02.03.2022
sonia

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No