

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202-2

CRM-M-23958-2022

Date of decision : 06.09.2022

Dalip Kumar

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Angel Walia, Advocate, for the petitioner.

Mr.Navneet Singh, Sr. DAG, Punjab.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.60 dated 01.04.2022 registered under Sections 498-A and 323 IPC at Police Station City Gurdaspur, District Gurdaspur.

On 30.05.2022 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of matrimonial discord between the petitioner and the complainant; the petitioner has no other criminal case pending against him; the allegations with regard to the petitioner having given beatings to the complainant are absolutely false and vague with no medical record to back them; in fact, the petitioner and the complainant entered into a compromise through which they settled their matrimonial dispute and as per which the petitioner was to give to the complainant maintenance @ Rs.21,000/ per month but when for the reasons beyond his control he could not make such payment, the FIR in question has been got registered against him; no recovery is required to be made from the petitioner; co-accused (the petitioner's mother) has already been granted ad interim anticipatory bail who had earlier approached this Court through CRM-M-22563-2022 — Jeeto vs. State of Punjab and another

Notice of motion for 06.09.2022

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

Respondent No.2 be served through ordinary process.

For arguments, adjourned to 06.09.2022.

To be heard along with CRM-M-22563-2022.

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.60, dated 01.04.2022, registered under Sections 498A, 323 IPC at Police Station City Gurdaspur, District Gurdaspur, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the above submissions made on behalf of the petitioner as recorded in the afore quoted order and the afore-referred statement made by learned State counsel, the order of this Court dated 30.05.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

06.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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