

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.204

CRM-M-27846-2021

Date of decision: 28.03.2022

Sunil Kumar

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Ms. Gunkirat Kaur, AAG, Punjab.

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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.52 dated 02.06.2021 registered under Sections 406, 498-A IPC at Police Station Dhilwan, District Kapurthala.

On November 25, 2021, this Court had passed the following order:-

“Learned counsel for the petitioner *inter alia* contends that false allegations have been levelled against the petitioner of subjecting his wife to mental and physical harassment on account of a demand of bullet motorcycle. He submits that the complainant-wife resided in the matrimonial home for only 1½ months after marriage and thereafter she left for her parental home and that too while the petitioner was away to Doha, Qatar. He further submits that the petitioner is willing to sit across the table with the complainant and sought out their differences, if any. It has also been contended that the *bona fides* of the petitioner are apparent from the fact that soon after the complainant left her matrimonial home, he filed a petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights, which was still pending.

As per the report received from the Mediation and Conciliation Centre, Jalandhar, the parties have failed to arrive at an amicable settlement.

Adjourned to 28.03.2022.

Meanwhile, petitioner is directed to join investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438 (2) Cr.P.C.”

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

After considering the submissions made on behalf of the petitioners in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 25.11.2021, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

March 28, 2022

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(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No