

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-28829-2021
Date of Decision: 23.03.2022**

**BHUPINDER SINGH ... PETITIONER
STATE OF PUNJAB V/S ... RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. K.S.Brar, Advocate for the petitioner.
Mr. A.A.Pathak, Addl. AG Punjab.
Dr. Rau P.S.Girwar, Advocate for the complainant.
*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*
* * *

VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No.
22 dated 05.06.2021 under Section 498-A IPC registered at Police Station
Women Cell, District Bathinda.

On 21.09.2021, following order was passed:

“By an order dated 26.07.2021, arrest of the petitioner
was stayed and petitioner holding passport bearing No.T-
1962422 was restrained from travelling abroad. The FIR
arises out of matrimonial dispute registered under Section
498-A IPC at Police Station Women Cell, District Bathinda
and there are no allegations under Section 406 IPC.

Counsel for the respondent-State would submit that
LOC dated 07.09.2021 has been issued against the petitioner
on the basis of the information supplied.

Adjourned to 02.03.2022.

Meanwhile, the petitioner is directed to join the
investigation within a period of one week and on his doing so,
the petitioner be released on interim bail subject to his
furnishing personal/surety bonds to the satisfaction of

Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Thereafter on 02.03.2022, on instructions from ASI Tasvir Singh, it was stated by the learned State counsel that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation and his custodial interrogation is not required. However, a written request was circulated on behalf of the complainant for adjournment as the counsel was unwell.

Learned counsel for the complainant states that the articles of *istridhan* are to be recovered and accordingly, he has opposed the bail application.

It is significant to note that the offence under Section 406 IPC has not been added in the instant FIR. On a query by the Court, learned counsel for the complainant has fairly conceded that there is no allegation with regard to entrustment of any article of *istridhan* or misappropriation thereof in the FIR.

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 21.09.2021 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

23.03.2022

Janki

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