

217 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25805-2022
Date of Decision: 14.09.2022

LOVE KUMAR ... PETITIONER
VS.
STATE OF PUNJAB AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Satish Jaswal, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

On 06.06.2022, the following order was passed:-

“Apprehending his arrest in FIR No.26 dated 17th April, 2022, registered under Sections 325, 323, 34 of the Indian Penal Code, 1860 at Police Station Bhaini Mian Khan, District Gurdaspur, petitioner seeks pre-arrest bail.

Ld. Counsel inter alia contends that there is no allegation w.r.t. demand of dowry. The allegation w.r.t. slapping has been attributed to one Raj Kumar. Moreover, the said incident dated 16th of October, 2021 was earlier inquired into and was not found to be correct.

Notice of motion for 11th July, 2022.

On asking of the Court, Mr. Sukhbeer Singh, Asstt. Advocate General, Punjab appears and accepts notice on behalf of respondent No.1-State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

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

Learned State counsel, on instructions from SI Satnam Singh, submits that the petitioner has joined the investigation and his custodial interrogation is not required. It has been further stated that the matter with regard to allegation of the complainant that after grant of interim bail, the petitioner had entered into the parental house of the complainant and inflicted injuries, has not reported to the police.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 06.06.2022, vide which the petitioner has been granted interim bail, is made absolute. However, it is made clear that the order has also to be construed with regard to the offence under Section 498-A IPC as the same could not be inadvertently reflected in the order dated 06.06.2022.

Petition is allowed.

14.09.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No