

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Sr. No. 203 (1)

CRM-M No. 26162 of 2022

Date of decision : 05.08.2022

Harpal Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Amit Gupta, Advocate for
Mr. Vipin Mahajan, 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. 44 dated 02.05.2022 registered under Sections 498-A and 406 IPC at Police Station Rangar Nangal, police district Batala, district Gurdaspur.

On 10.06.2022, this Court had passed the following order : -

“Petitioner has approached this Court praying for grant of anticipatory bail in case FIR No.44 dated 2.5.2022, under Sections 498-A, 406 of IPC, registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

It has been contended by learned counsel for the petitioner that the marriage in question took place on 6.1.2019 and the matrimonial discord has taken place between husband and wife on account of the

temperamental differences. Counsel submits that the allegations pertaining to harassment of the complainant on account of demand of dowry are totally false and frivolous. It is submitted that the petitioner has already filed a petition under Section 9 of Hindu Marriage Act. He further submits that there is a possibility of settlement between the parties if the matter is referred to Mediation Centre of this Court.

Notice of motion for 5.8.2022.

On asking of the Court, Ms. Sakshi Bakshi, AAG, Punjab accepts notice on behalf of the respondent no.1-State.

The petitioner will pay a sum of Rs.25,000/- as litigation expenses to the complainant/respondent no.2 within one month from today.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

- (i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.*
- (ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.*
- (iii) That the petitioner shall not leave India without prior permission of the court.”*

Learned counsel for the petitioner submits that in terms of the afore quoted order the petitioner has not only joined and cooperated with

the investigation but he has also paid Rs.25,000/- to respondent No.2.

Learned State counsel acknowledges the fact that the petitioner has joined and cooperated with the investigation. It is further submitted that the State has not required the petitioner's custodial interrogation.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 10.06.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

05.08.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No