

217 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26767-2022
Date of Decision: 02.08.2022

RANJIT SINGH ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Ranwant Singh Sangha, Advocate for
Mr. Sandeep Singh Mann, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J.(ORAL)

On 17.06.2022, the following order was passed:-

“The petitioner is seeking anticipatory bail in FIR No.73 dt.28.05.2022 under Section 498-A IPC registered at Police Station Dhariwal, Tehsil and District Gurdaspur, Punjab.

As per the contents of the FIR registered on 30.03.2022, the complainant had made allegations not only against the petitioner but also against her in-laws including her sisters-in-law and their husbands, that they are making dowry demands and also pressurizing her to bring her share from her parents property. After investigation, the only husband of the complainant i.e. the petitioner was named. Admittedly, the parties were married in 2017 and they have a daughter born on 28.09.2018.

Counsel for the petitioner contends that the Deputy Superintendent of Police (Rural), Gurdaspur, on 24.05.2022, dropped the allegations against petitioner's relatives, and nominated only the petitioner, that petitioner had already initiated proceedings under Section 13 of the Hindu Marriage Act, 1955 against the complainant on 06.04.2022, prior to the filing of the complaint, that the complainant does not intend to live in the Village and wants to move to the city, and has made a false complaint.

Notice of motion for 27.07.2022.

At the asking of the Court, Mr. Karanbir Singh, AAG, Punjab accepts notice on behalf of the respondent/State.

In the meantime, the petitioner is directed to appear before the Investigating/arresting Officer and join investigation.

In the event of his arrest, the Investigating/Arresting officer shall release the petitioner on ad interim bail subject to his satisfaction, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

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 as to dissuade him/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.”

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 ASI Naresh Kumar, has not assailed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioner is not required.

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 17.06.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

02.08.2022
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(VIVEK PURI)
JUDGE

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