

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

CRM-M-32533-2021

Date of Decision: 26.07.2022

MUNISH KUMAR

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Prince Goyal, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

The petitioner is seeking anticipatory bail in case bearing FIR No.0356 dated 23.06.2021 under Sections 313/323/354-A/406/498-A/506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, registered at Police Station HTM Hisar, District Hisar.

On 23.02.2022, the following order was passed:-

“As per the report received from the Mediation and Conciliation Center, the complainant failed to put in her appearance before the said forum for exploring the possibility of an amicable settlement.

Learned counsel for the petitioner submits that the petitioner is ready to join investigation and cooperate with the investigating agency.

In the circumstances, the petitioner is directed to join the 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.

Adjourned to 26.07.2022.”

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 09.10.2020. The FIR has been registered on the basis of false and vague allegations. All the other relatives of the petitioner, as mentioned in the copy of the complaint, have been found to be innocent during the course of investigation. Even the medical opinion procured by the Investigating Agency, tends to falsify the allegations with regard to Section 313 IPC. Moreover, there is nothing to suggest that any derogatory remarks against the caste of the complainant were uttered in any public view. The petitioner has joined the investigation in pursuance of interim directions issued by this Court.

Learned State counsel, on instructions from ASI Sheela Devi, has stated that the petitioner has joined the investigation and his custodial interrogation is not required. It has also not been disputed that the other relatives of the petitioner have been found to be innocent and the medical opinion does not indicate with regard to the commission of offence under Section 313 IPC.

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 23.02.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

26.07.2022
smriti

(VIVEK PURI)
JUDGE

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