

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

**CRM-M-29543-2022
Date of Decision: 12.12.2022**

HARMINDER SINGH AND ANOTHER ... PETITIONERS

V/S

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amandeep Singh, Advocate for the petitioners.
Mr. Iqbal Singh Mann, DAG Punjab.
Mr. Ravi Singh, Advocate for the complainant.

* * * *

VIVEK PURI, J. (ORAL)

Petitioners are seeking anticipatory bail in case bearing FIR No.14, dated 28.05.2022, registered under Sections 406, 498-A IPC at Police Station NRI, District Ludhiana.

On 13.07.2022 following order was passed:

“Learned counsel for the petitioners inter-alia contends that the petitioners, who are father-in-law and mother-in-law of the complainant, have been falsely implicated in the case on account of a matrimonial discord between the complainant and the petitioners' son; because the petitioners' son has gone abroad the main thrust of allegations have conveniently been made against the petitioners; in any case, the allegations of demand of dowry, cruelty and giving of beatings are vague, unsubstantiated and not backed by any worthwhile evidence; the petitioners undertake to return all articles of istridhan as also original documents of the complainant which they are in possession of; there is no other criminal case pending against the petitioners and that they are also willing to cooperate with the investigation in every possible manner.

Notice of motion.

Mr.Dhruv Dayal, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 02.11.2022.

In the meanwhile subject to the petitioners' joining

investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of their arrest in FIR No.14, dated 28.05.2022, registered under Sections 406, 498-A IPC at Police Station NRI, District Police Commissionerate Ludhiana, they shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned counsel for the petitioners contend that the petitioners have joined the investigation in pursuance of the interim directions and the petitioners are not in possession of any article of *istridhan*.

Learned State counsel, on instructions from ASI Amrik Singh, submits that though the petitioners have joined the investigation but cash to the tune of Rs.3,50,000/- along with one pair of gold bangles, one chain and a wrist watch are yet to be recovered.

The controversy as to whether the petitioners have misappropriated the articles of *Istridhan* will be a debatable and moot point during the course of trial. The petitioners have joined the investigation in pursuance of the interim directions issued by this Court and their custodial interrogation is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.07.2022 is made absolute.

12.12.2022

Janki

(VIVEK PURI)
JUDGE

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