

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37234-2021
Date of Decision: 27.07.2022

JASKARAN KUMAR ... PETITIONER
STATE OF PUNJAB V/S ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. J.S.Thakur, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

Mr. Rimple Saini, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 70 dated 05.08.2021 under Sections 406, 498-A IPC, registered at Police Station Behrampur, District Gurdaspur.

On 23.02.2022, following order was passed:

“As per the report received from the Mediation and Conciliation Center to which the parties were referred to, the complainant appeared only on three dates, however, subsequently despite being telephonically informed she did not turn up before the Mediation and Conciliation Center.

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 27.07.2022.”

Learned counsel for the petitioner contends that FIR was

registered on the basis of vague and false allegations. A false allegation with regard to demand of Rs. 2 Lakhs has been raised. In fact the petitioner was in financial distress during Covid-19 pandemic. The uncle of complainant had facilitated a loan to the tune of Rs. 2 Lakhs in favour of the petitioner from a bank. The petitioner himself is repaying the installments through cheque. Further, in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gurnam Singh, submits that the petitioner has joined the investigation and the custodial interrogation of the petitioner is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 23.02.2022 is made absolute.

The petition stands allowed.

27.07.2022

Janki

**(VIVEK PURI)
JUDGE**

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