

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37675-2021
Date of Decision: 25.05.2022

VIVEK ... PETITIONER
V/S
STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ankit Bishnoi, Advocate for the petitioner.
Mr. Vikas Bhardwaj, AAG Haryana.
Mr. Deepak Kohli, Advocate for
Mr. S.K.Verma, Advocate for the complainant.

* * * *

VIVEK PURI, J. (ORAL)

On 10.09.2021 following order was passed:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.244 dated 21.07.2021 under Sections 323, 34, 342, 406, 498-A and 506 IPC registered at Police Station Dabwali Sadar, District Sirsa.

Learned counsel submits that the FIR in question had been lodged by the complainant-wife as a counter-blast to a petition having been filed under Section 13 of the Hindu Marriage Act by the petitioner for dissolution of their marriage. Learned counsel submits that in fact even the parents of the complainant-wife were conscious that it was their daughter who was at fault and had been unnecessarily levelling all kinds of false and frivolous allegations against the petitioner and his parents. In support of his contention, learned counsel has drawn the attention of this court to Annexure P5 i.e. an audio recording between the complainant, her mother and mother-in-law wherein the said fact stands reflected.

Notice of motion for 21.01.2022.

Meanwhile, 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.PC.”

Learned counsel for the petitioner states that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court and furthermore, the offence under Section 313 IPC has been deleted.

Learned State counsel, on instructions from SI Ram Chander, has

not disputed the aforesaid fact and has stated that the petitioner has joined the investigation in pursuance of the interim directions and his custodial interrogation is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 10.09.2021 is made absolute.

The petition stands allowed.

25.05.2022

Janki

(VIVEK PURI)
JUDGE

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