

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

**CRM-32622-2022 in/and
CRM-M-No.39484 of 2021(O&M)
Date of Decision:08.09.2022**

Navjot Singh and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr.Jaideep Verma, Advocate for the petitioners.

Mr. APS Tung, DAG, Punjab.

Mr. P.K.S. Phoolka, Advocate for the
applicant/respondent No.2.

VIVEK PURI, J.(Oral)

Petitioner is seeking anticipatory bail in case bearing FIR No.0140 dated 22.08.2021 for offence under Sections 406 and 498-A IPC, registered at Police Station City Nakodar, District Jalandhar (Punjab).

On 02.03.2022, the following order was passed by this Court:-

“As per the report received from the Mediator, the parties could not reach at any agreement.

Learned State counsel has pointed out that arrest of the petitioners was stayed and he has yet to join the investigation.

Adjourned to 06.07.2022.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners submits that vague allegations have been specified in the application which was earlier submitted and on the basis thereof, the FIR has been registered. The marriage of petitioner No.1 was

solemnized with respondent No.2 on 24.06.2020. Moreover, petitioner No.1 has already instituted a petition under Section 9 of the Hindu Marriage Act, 1955. Learned counsel further contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Kashmir Singh, has not assailed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioners is not required.

On the other hand, learned counsel appearing for respondent No.2-complainant submits that there is apprehension that the petitioners may flee and go abroad, therefore, they be directed to surrender their passports.

Faced with the situation, learned counsel for the petitioners submits that there is no intention of petitioners to go abroad during the pendency of the matter which has been initiated on the basis of the aforesaid FIR.

Keeping in view the entire circumstances and the fact that the petitioners have already joined the investigation and their custodial interrogation is not required, sufficient grounds are made out to grant pre-arrest bail to the petitioners. Moreover, the apprehension of respondent No.2-complainant will be taken care of by the conditions that have been imposed under Section 438(2) Cr.P.C.

Accordingly, order dated 02.03.2022 of this Court, vide which the petitioners have been granted interim bail, is made absolute.

The petition is allowed.

(VIVEK PURI)
JUDGE

08.09.2022

Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No