

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

203

**CRM-M-37782 of 2022
Date of decision: 14.12.2022**

Darshan Singh

..Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Harsh Chopra, Advocate for the petitioner.

Ms. Ruchika Sabharwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

Petitioner is seeking anticipatory bail in the case bearing FIR No.92, dated 02.08.2022, under Sections 498A IPC(Section 406 IPC added later on) (Annexure P-1), registered at Police Station Nurpur Bedi, District Rupnagar,

On 25.08.2022, the following order was passed:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of matrimonial discord between the petitioner and the complainant; the petitioner does not have any other criminal antecedents; the allegations that just after few days of marriage the petitioner started harassing the complainant for bringing more dowry are falsified from the fact that the complaint made by the complainant in this regard was after about 6 ½ years; the petitioner undertakes to return to the complainant all admitted articles of istridhan/

dowry; the allegations of cruelty are also vague and unsubstantiated; coaccused Dhani Ram, who is the father of the petitioner, has already been granted ad interim anticipatory bail by the Trial Court and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

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

For arguments, adjourned to 14.12.2022.

In the meanwhile subject to the petitioner's 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 his arrest in FIR No.92, dated 02.08.2022, registered under Sections 498- A, 406 IPC at Police Station Nurpur Bedi, District Rupnagar, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer".

Learned counsel for the petitioner contends that in pursuance of the interim directions the petitioner has joined the investigation and the petitioner has also instituted a petition under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights.

Learned State counsel submits that the petitioner has joined the investigation and his custodial interrogation is not required.

Considering above, the petition is allowed and the order dated 25.08.2022 is made absolute.

December 14, 2022
Poonam Sharma

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No