

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Proceedings through Video Conferencing)

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CRM-M-43220-2021(O&M)
Date of Decision : 02.02.2022

Salwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. RS Sekhon, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. LM Gulati, Advocate,
for the complainant.

MANJARI NEHRU KAUL (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.283, dated 24.09.2021, registered under Sections 498A, 354, 354A and 509 of Indian Penal Code 1860, at Police Station Ajnala, District Amritsar (Annexure P-1).

Learned counsel for the petitioner has invited the attention of this Court to Annexure P-2, which is a Panchayati Divorce-deed dated 31.07.2020, executed between the son of the petitioner and his wife i.e. the complainant, wherein, it is clearly stated that the complainant had been residing separately from her husband i.e. the son of the petitioner since 20th June, 2020. Learned counsel submits that in the circumstances, it is evident that the FIR, which was registered 1½ years thereafter, was a bundle of lies and had been registered with an ulterior motive to pressurize her in-laws family including the petitioner

to settle the dispute with her in exchange of a handsome amount of money. It has been further submitted that the allegations levelled in the FIR qua the petitioner indulging in highly inappropriate behaviour on one particular date i.e. 15th July, 2021, and pressurizing the complainant to get money from her parents, stands falsified in the light of the aforesaid Panchayati Divorce Deed (Annexure P-2).

Learned counsel for the petitioner submits that in compliance of the order dated 13.10.2021, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel assisted by Mr. LM Gulati, Advocate, for the complainant, does not dispute the submissions made by learned counsel for the petitioner. Learned State counsel, on instructions from HC Gurjant Singh, submits that the petitioner had cooperated during investigation and hence, he is not required for further investigation.

However, learned counsel for the complainant has opposed the prayer made by the petitioner by reiterating the allegations levelled against him in the FIR in question.

I have heard learned counsel for the parties and perused the material on record.

In view of the facts and circumstances as enumerated hereinabove, the petition is allowed and interim order dated 13.10.2021, is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

02.02.2022
monika

Whether speaking/reasoned
Whether Reportable

Yes
Yes/No