

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(217)**

**CRM-M-43180-2021
Date of decision:- 08.02.2022**

Neeraj Chaudhary

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Manju Goyal, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of anticipatory bail in case FIR No. 0093 dated 24.09.2021, registered for offence under Section 498-A of the Indian Penal Code, 1860 at Police Station Dhakoli, District S.A.S. Nagar, Punjab.

Counsel for the petitioner submits that FIR, Annexure P-1, has been lodged by the wife of the petitioner due to a marital dispute. He submits that the petitioner was granted interim bail by this Court vide order dated 13.10.2021 and he has joined the investigation.

State counsel has verified this fact and has submitted that the petitioner is no longer required for custodial interrogation as no recovery is to be effected from him.

Heard counsel for the parties.

While granting interim bail to the petitioner, this Court passed the following order on 13.10.2021:-

“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner by contending that the marriage between the parties was solemnized on 11.10.2019 as per Hindu rites, which has turned sore (sour). In fact, a petition under Section 125 of Cr.P.C. has already been filed. It is further contended that the instant FIR has been registered only under Section 498-A of IPC and not Section 406 of IPC, therefore, no recoveries are to be effected from the petitioner, who is ready to join the investigation.

Notice of motion for 08.02.2022.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

As the petitioner has joined the investigation and is no longer required for custodial interrogation, petition is allowed. Order dated 13.10.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

08.02.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No