

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

206-1

CRM-M-43627-2021

Date of Decision:03.03.2022

NARINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. T.P.S. Tung, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.96 dated 04.10.2021, registered under Section 498-A of IPC, 1860, at Police Station Rangar Nangal, Police District Batala, Annexure P-1.

Counsel for the petitioner contends that FIR, Annexure P-1, has been registered by the wife of the petitioner on the allegation that she has been treated with cruelty and harassed by the petitioner and his relatives. He urges that the FIR is a counter blast to the petition filed by the petitioner under the Hindu Marriage Act, 1955 on 16.10.2020, Annexure P-2, as well as a criminal complaint instituted by him on 05.01.2021, Annexure P-3. He further submits that the petitioner, who is a Government servant, has joined the investigation.

Heard counsel for the parties.

While granting interim protection to the petitioner, this Court passed the following order on 14.10.2021:-

“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner, while contending that the marriage was solemnized between the parties in the year 2016. It is argued that custodial interrogation of the petitioner would not be required, as the FIR has been registered only under Section 498-A of Indian Penal Code and he is ready to join the investigation.

Notice of motion for 03.03.2022.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is present in court, accepts notice on behalf of the respondents-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.”

Upon instructions from ASI Palwinder Singh, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, the present petition is allowed and the order dated 14.10.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

03.03.2022
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(SUVIR SEHGAL)
JUDGE

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