

209 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41160-2022 (O&M)

Date of Decision: 09.12.2022

HITESH

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Vikas Sheel Verma, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Ms. Sumitra, Advocate for
Mr. Abhinav Sood, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

On 15.09.2022, the following order was passed in the main
case:-

“The petitioner is seeking anticipatory bail in case bearing FIR No.0311 dated 17.07.2022 under Sections 494 and 506 IPC registered at Police Station Chand Hut, District Palwal.

Learned counsel for the petitioner contends that as per the allegations, the marriage of the petitioner was solemnized with the complainant on 30.10.2015 and a daughter has been born from the wedlock. Subsequently, the petitioner has solemnized marriage with Chanchal during subsistence of first marriage. The offence under Section 494 IPC is bailable and non-cognizable. The offence under Section 506 IPC has been incorporated only to aggravate the gravity of allegations and to make the offence non-bailable and cognizable.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG, Haryana, accepts notice on behalf of the respondent-State.

Mr. Abhinav Sood, Advocate, has appeared on behalf of the complainant.

Adjourned to 09.12.2022.”

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from HC Sukhbir, has not disputed the aforesaid factual aspect and further submits that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 15.09.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

09.12.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No