

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35248-2019
Date of Decision: 23.02.2022

ANJUM SIDDIQUI ... PETITIONER
V/S
STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Farukh Abdullah, Advocate for the petitioner.

Mr. Zorawar Singh Chauhan, DAG Haryana.

Mr. J.S.Hooda, Advocate for the complainant.

(The case has been taken up through video conferencing on account of Covid-19 pandemic)

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VIVEK PURI, J. (ORAL)

Learned counsel for the petitioner has placed on record copies of E-receipt, invoice, payment receipt and insurance certificate indicating that the Alto car bearing registration No. DL-5CK-9738 is registered in the name of the petitioner and the payment has been made by him.

On 28.08.2019, following order was passed:

“Notice of motion for **9.1.2020**.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

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

Learned State counsel, on instructions from ASI Ravinder, has

not disputed the aforesaid factual aspect of the case.

Learned counsel for the complainant has stated that the complainant had made the payment in cash for the purchase of the car. He also states that the petitioner has performed subsequent marriage. Significantly, there is no receipt on record in this regard.

It is a case of matrimonial dispute between the petitioner and his wife. He has joined the investigation and his custodial interrogation is not required. Moreover, the documents pertaining to the car indicate the ownership of the petitioner.

As such, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 28.08.2019 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

23.02.2022

Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No