

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

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CRM-M-44935-2021

Date of decision: 23.02.2022

Dr. Harjinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. T.K. Gupta, Advocate for
Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.209 dated 10.10.2021 under Sections 406 and 498-A IPC, registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner submits that both the petitioner and his wife i.e. the complainant are qualified doctors whose marriage was solemnized on 18.04.2014. Learned counsel submits that subsequent to their marriage they hardly resided together as they were posted at different stations being Medical Officers with the Punjab Government. It was only for a few months on the transfer of the complainant to CHC Hathoor that she lived in her matrimonial home with her husband. Learned counsel submits that as soon as the complainant conceived she yet again returned to her parental home to pursue her post graduation. It was therefore submitted that there was no

occasion for the petitioner or his family to subject the complainant to any kind of harassment as had been alleged in the FIR in question. It has been submitted that even the allegations levelled in the FIR qua the dowry demand, no such demand was made rather whatever was given at the time of marriage by way of customary gifts, had been taken away by the complainant when she moved to her place of posting. Learned counsel submits that the petitioner may be permitted to join investigation and whatever customary gifts given at the time of marriage remain with him, he would hand over the same during investigation. Learned counsel further submits that in compliance of order dated 28.10.2021, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Sarabjeet Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 28.10.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

23.02.2022

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(MANJARI NEHRU KAUL)
JUDGE

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