

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

210

**CRM-M-45607-2021
Date of decision: 21.02.2022**

Balraj Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vipin Mahajan, Advocate
for the petitioner.

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

Mr. A.S. Manaise, Advocate
for the complainant.

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.01 dated 17.01.2019 under Sections 498-A, 406 and 420 IPC, registered at Police Station NRI, District Gurdaspur.

Learned counsel for the petitioner *inter alia* contends that on the face of it, false and fabricated case has been foisted upon the petitioner, which is evident from the fact that in the complaint (Annexure P-3) given under Section 12 of the Domestic Violence Act prior to the registration of the FIR in question, the allegations levelled were contrary to the allegations levelled in the FIR in question. He further submits that in fact it was on account of temperamental differences, the FIR came to be registered on the complaint of the wife of the petitioner, who had since expired due to Covid-19. He further submits that in compliance of order dated 01.11.2021, the petitioner has

joined investigation and cooperated with the investigating agency.

Learned State counsel assisted by learned counsel for the complainant, on instructions from ASI Surinder Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. Learned State counsel 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 01.11.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

21.02.2022

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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