

CRM-M-46344-2021

Date of decision: 28.01.2022

BALWINDER SINGH

...PETITIONER

VERSUS

STATE OF HARYANA AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. P.K.S.Phoolka, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

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

VIVEK PURI,J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner namely Balwinder Singh in case FIR No. 328 dated 16.09.2021, registered under Sections 323/406/498-A/34 IPC, at Police Station Sadar Dabwali, District Sirsa.

On 03.11.2021, the following order was passed:-

“Balwinder Singh-petitioner is seeking anticipatory bail under Section 438 Cr.P.C in the case bearing FIR No. 328 dated 16.09.2021 under Sections 323/406/498-A/34 IPC, registered at Police Station Sadar Dabwali, District Sirsa. It has been contended by the learned counsel for the petitioner that the marriage of the petitioner was solemnized with the complainant on 19.06.2020. It was a simple marriage and the marriage party consisted of about 40 persons. The customary gifts were exchanged at the time of marriage. The matrimonial dispute has cropped up between them and false allegations with regard to demand of Rs. 5 Lakhs and misappropriation of dowry articles have been raised in the complaint by the complainant. The petitioner was doing private job and he lost the same during Covid-19

Pandemic. The parents of the petitioner have been granted pre-arrest bail by the Court of learned Additional Sessions Judge, Sirsa in terms of order dated 22.10.2021.

Notice of motion.

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

Adjourned to 17.01.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner states that in pursuance of the interim directions, the petitioner has joined the investigation.

On instructions from ASI Jaidev, learned State counsel has stated that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 03.11.2021, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands disposed of.

28.01.2022
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(VIVEK PURI)
JUDGE

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