

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-48253 of 2021
Date of decision:20.04.2022

Piyush Malhotra

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Y.P.Singla, Advocate for
Mr. Jagdeep S. Chahal, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Mr. Ajay Kumar Rana, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

On 17.11.2021, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.220 dated 21.10.2021, registered for offences under Sections 406 and 498-A of the Indian Penal Code, 1860, at Police Station Mataur, District SAS Nagar (Mohali) (Annexure P-1).

Counsel for the petitioner submits that marriage between the petitioner and the complainant took place on 04.11.2017

and a son was born out of the wedlock on 20.12.2018. Counsel urges that due to temperamental differences between the couple, a divorce petition has been instituted by the petitioner and the present FIR is counter-blast of the same. Counsel submits that the petitioner is ready to join the investigation and co-operate with the Investigating Agency and return all the dowry articles.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, AAG, Punjab accepts notice on behalf of the respondent-State.

List on 20.04.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called for by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Counsel for the petitioner submits that the petitioner has joined the investigation pursuant to aforesaid order.

Upon instructions from ASI Rajinder Singh, State counsel has verified this fact, however, he submits that some recovery is yet to be effected from the petitioner.

Counsel for the complainant submits that the petitioner and complainant are residing together and the complainant does not have any objection in case the interim protection granted to the petitioner is made confirmed.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 17.11.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

April 20, 2022
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>