

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

207

CRM-M-48920-2021

Date of decision: 19.04.2022

Ravi Kumar

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gagandeep Singh Sirphikhi, Advocate for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab.

None for respondent No.2.

SUVIR SEHGAL J. (ORAL)

On 23.11.2021, 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.87 dated 27.10.2021, registered for offences under Sections 498-A, 323 and 506 of the Indian Penal Code, 1860, at Police Station Qadian, Police District Batala.

Counsel for the petitioner urges that though there are allegations of demand of dowry in the FIR lodged by complainant-respondent No.2, but in her statement (Annexure P-2) recorded on 11.07.2021, no such accusation have been levelled, however, the complainant has alleged that she was given stick blows by co-accused, Baljit Singh. Counsel submits that the petitioner is ready to settle the matrimonial dispute with the complainant-respondent No.2.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, AAG, Punjab accepts notice on behalf of the State-respondent No.1. Upon instructions from

ASI Kulwinder Singh, he submits that there are 5 accused, out of which, 4 have joined the investigation under the order passed by the Sessions Court. Still further, he submits that there are allegations of demand of dowry, though, he submits that Section 406 IPC has not been invoked so far.

List on 15.03.2022.

Respondent No.2 be served for the date fixed.

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.”

Notice issued to complainant-respondent No.2 has been received back with the report that she has refused to accept it. There is no representation on her behalf.

Learned State counsel on instructions from ASI Gurnam Singh, submits that the petitioner has joined the investigation, recovery has been effected from him and he is no longer required for custodial interrogation.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 23.11.2021 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.

(SUVIR SEHGAL)
JUDGE

19.04.2022
pooja saini

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No