

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-50305-2021

Date of Decision: 24.05.2022

Sanjeev Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Devender Kumar, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

Mr. Umesh Ajja, Advocate
for Mr. Sidhant Vermani, Advocate
for the complainant/respondent No. 2.

VIVEK PURI J.

On 02.12.2021, following order was passed:

“Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No. 79 dated 01.10.2021 under Sections 406,498-A and 323 IPC registered at Police Station Women, District Police Commissionerate, Amritsar.

It has been contended by learned counsel for the petitioner that the marriage was solemnized way back in the year 2003. A matrimonial dispute has cropped up only in the year 2020 and false allegations have been levelled in the FIR. It has been also stated that the parents of the petitioner have been granted interim bail by the Court of Session.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab, accepts notice on behalf of the respondent-State.

Mr. Sidhant Vermani, Advocate, has put appearance on behalf of respondent No.2/complainant and states that even on earlier three occasions, the petitioner had given beatings to the complainant and the matter was reported to the police, but it was amicably settled after the petitioner has tendered

apology. It has been further stated that the complainant could not bear the child and on that score she is being maltreated and harassed by the petitioner.

Learned State counsel seeks time to get instructions in the matter.

Adjourned to 23.03.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure."

Learned counsel for the petitioner contends that in pursuance of the interim direrctions, the petitioner has joined the investigation.

On the instructions of Inspector Sharanjit Kaur, learned State Counsel has not disputed the aforesaid factual aspects and further contends that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner.

Accordingly, order dated 02.12.2021, vide which the petitioner has been granted interim bail, is made absolute. Petition is allowed.

24.05.2022

Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No