

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 209

CRM-M-51706-2021

Date of decision : 23.05.2022

Tauseef Ahmed

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Arvind Kashyap, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

Mr.Sandeep Singh, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.470 dated 21.06.2021 registered under Sections 498-A, 406, 506, 34 IPC and Section 4 of the Muslim Women (Protection of Rights of Marriage) Act, 2019 at Police Station Camp, Palwal, District Palwal.

On 06.01.2022 this Court had passed the following order: -

“Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.470 dated 21.06.2021 under Sections 498-A, 406, 506, 34 IPC and Section 4 of Muslim Women (Protection of rights of Marriage) Act, 2019 registered at Police Station Camp Palwal, District Palwal.

Learned counsel for the petitioner inter alia contends that false allegations of demand of dowry and misappropriation of the same have been levelled against the petitioner by the complainant-wife. He submits that patently false allegations have been levelled against him of pronouncing 'Talaq' thrice over the telephone. He further submits that the petitioner is willing to join investigation and cooperate with the investigating agency.

Learned counsel appearing on behalf of respondent no.2-complainant has opposed the grant of anticipatory bail to the petitioner by urging that he is in possession of her dowry articles and other personal belongings.

Learned counsel for the petitioner, however, submits that he is willing to join investigation and co-operate with the investigating agency and he would return all the dowry articles and other personal belongings of the complainant-respondent no.2 which still remain in his possession.

Adjourned to 23.05.2022.

Meanwhile, petitioner is directed to join investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation; investigation in this case is complete; report under Section 173 Cr.P.C. has been filed and that the petitioner's custodial interrogation is not required by the State.

In the light of the reasons stated in the afore quoted order as also the statement made on behalf of the State, the order of this Court dated 06.01.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

23.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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