

CRM-M-52268-2021

Date of decision: 07.04.2022

PAWAN KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Shakti Mehta, Advocate  
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

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VIVEK PURI, J. (ORAL)

On 15.12.2021, the following order was passed:-

*“Pawan Kumar-petitioner is seeking anticipatory bail in case bearing FIR No.268 dated 29.10.2021 under Sections 498-A and 406 IPC registered at Police Station Lehra, District Sangrur.*

*Learned counsel for the petitioner contends that the marriage of the petitioner with the complainant was solemnized on 05.10.2019, she resided in the matrimonial house for a period of two months only and, thereafter, went to her parental house in the month of December, 2019.*

*At the earlier instance, inquiry was conducted by In-charge, Women Cell, Police Station Lehra, wherein, it has been concluded that there was minor dispute between the parties and there was no material to indicate that any beatings were given to the complainant. Thereafter, the report has also been submitted by Deputy Superintendent of Police, Sub-Division, Lehra, wherein, it has also been observed that the complainant does not want to initiate any action in the matter. Moreover, the petitioner has also instituted a petition under Section 9 of Hindu Marriage Act for Restitution of Conjugal Rights. The mother of the petitioner has already been granted pre-arrest bail by the Court of learned Additional Sessions Judge, Sangrur.*

*Notice of motion, returnable for 07.04.2022.*

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

*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 interim directions issued by this Court, the petitioner has joined the investigation.

On instructions from ASI Jagmail Singh, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 15.12.2021, 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 is allowed.

07.04.2022  
*renubala*

**(VIVEK PURI)**  
**JUDGE**

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