

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM-M-53068-2021

Date of decision: 05.04.2022

Gurpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Amandeep Singh Gill, Senior Deputy Advocate General,
Punjab.

...

SUVIR SEHGAL, J. (Oral)

Mr. Sachin Ohri, Advocate has put in appearance on behalf of the complainant and has filed Power of Attorney, which is taken on record.

While granting interim protection to the petitioner, this Court passed the following order on 25.01.2022 in the main case:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.119 dated 13.11.2021, registered for offences under Sections 498-A and 34 of Indian Penal Code, 1860, at Police Station Kalanaur, District Gurdaspur, Punjab (Annexure P-1/T).

Counsel for the petitioner submits that the FIR is the result of marital discord between the petitioner and the

complainant-wife on account of temperamental differences between the two. He submits that the petitioner/his relations received a gold ring and gifts, which he is ready to return as deposed by him in his affidavit dated 12.01.2022 and is ready to join the investigation and co-operate with the Investigating Agency. In addition, counsel submits that the petitioner will deposit Rs.50,000/- with the Registrar General of this Court.

Notice of motion.

On asking of the Court, Mr. Harbir Singh Sandhu, AAG, Punjab accepts notice on behalf of the State-respondent No.1.

List on 05.04.2022.

Respondent No.2 be served for the date fixed.

In the meantime, the petitioner shall deposit a Demand Draft of Rs.50,000/- with the Registrar General of this Court drawn on him, within a period of two weeks from today, subject to further order passed by this Court.

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.

Upon joining investigation, the petitioner will return the articles mentioned by him in his affidavit dated 12.01.2022, which will be handed over to the complainant by the Investigating Officer.”

Upon instructions from ASI, Gurjeet Singh, State Counsel submits that the petitioner has joined the investigation and is no longer required for custodial interrogation.

It has also been submitted that the petitioner has returned the articles as deposed by him in his affidavit. The articles are directed to be handed over to the complainant in accordance with law.

In view of above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 25.01.2022 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

Amount of Rs.50,000/- deposited by the petitioner with the Registrar General of this Court is ordered to be released to the complainant/her counsel against proper receipt on due identification.

(SUVIR SEHGAL)
JUDGE

05.04.2022
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No