

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

(Sr. No. 205)

CRM-M No.54773 of 2021

Date of decision : 22.03.2022

Puneet Jain

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Aayush Gupta, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. Paras Sharma, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 0150 dated 09.12.2021 registered under Sections 406, 498-A, 506 IPC at Police Station Women, District Police Commissionerate, Ludhiana.

On 03.01.2022, this Court had passed the following order : -

“The petitioner has approached this Court for grant of pre-arrest bail in case FIR No. 0150 dated 09.12.2021 registered at Police Station Women, District Police Commissionerate Ludhiana for offence under Sections 406, 498-A and 506 IPC.

Learned counsel for the petitioner inter alia contends that the marriage between the parties was solemnized on 18.02.2012 and that after solemnization of the marriage, the petitioner and the complainant had

moved to Australia. Eventually, a child was born out of the wed-lock. The child suffered from autism. As a result of the same, the petitioner and the complainant returned to India in the year 2017 and started residing at Ludhiana in the matrimonial home along with parents of the petitioner. Learned counsel submits that the complainant did not agree with a joint residence of the petitioner with his parents and that she started levelling false and frivolous allegations against the father of the petitioner whereupon the petitioner started living with the complainant in a separate portion of the same house. It has been argued that learned counsel appearing on behalf of the petitioner that there is no allegation of any demand of dowry from the year 2012 to 2017 i.e. period of their stay in Australia and allegations have surfaced only upon their return to India and that even the said allegations do not relate to the petitioner in reference to any embezzlement or demand of dowry.

Notice of motion.

Pursuant to supply of advance copy, Mr.S.S. Deol, DAG, Punjab, has appeared and accepted notice on behalf of respondent-State.

Learned State counsel submits that the petitioner had disposed of Hyundai i-20 car without approval of the complainant and has embezzelled the proceeds thereof. Besides, the recovery of dowry articles is also to be effected from the petitioner.

Learned counsel appearing for the petitioner contends that petitioner is ready to join investigation as and when so required by the police and to extend all due co-operation.

List on 22.03.2022 for further consideration.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he

shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 03.01.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

22.03.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No