

CRM-M-54449-2019

Date of decision: 08.03.2022

SURJIT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Daljeet Singh Kahlon, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No. 125 dated 23.11.2019, registered under Sections 498-A/494/406/120-B IPC, 1860 at Police Station Shri Hargobindpur, District Batala.

On 14.07.2021, the following order was passed:-

"This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.125 dated 23.11.2019 under Sections 498-A, 494, 406 & 120-B IPC registered at PS Shri Hargobindpur, District Batala.

Learned counsel for the petitioner would contend that the marriage was solemnized between the parties as far back as 2015 and the parties could not adjust on account of temperamental differences. It is argued that the complainant had taken back an amount of Rs.4,50,000/- as would be evident from the agreement (Annexure P-2) and apart from that land has already been transferred in her favour. Counsel further submits that the petitioner is ready to join the investigation.

Adjourned to 26.11.2021.

Meanwhile, petitioner is directed to join the

investigation within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in terms of agreement dated 30.10.2018 (Annexure P-2) a sum of Rs. 4,50,000/- has already been paid to the complainant. Furthermore, the land measuring of 01 kanal has also been transferred in the name of the complainant by the petitioner. It has been further stated that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

On instructions from ASI Tarlok Singh, learned Sate counsel has stated that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 14.07.2021, granting interim bail to the petitioner is made absolute.

Furthermore, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands allowed.

08.03.2022
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(VIVEK PURI)
JUDGE

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