

2023:PHHC: 103447

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2023-2023
Date of decision: 09.08.2023

ABHINAV BANGIA

...PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. G.S. Goraya, Advocate
for the petitioner.

Mr. Ram Kumar Singla, DAG, Haryana.

Mr. Sikandh Mehta, Advocate for
Mr. Pankaj Bali, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No. 0600 dated 23.11.2022, under Sections 34, 406, 498-A and 506 IPC registered at Police Station Baldev Nagar, District Ambala.
2. On 16.01.2023, the following order was passed by the Coordinate Bench of this Court:-

“This petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.0600 dated 23.11.2022 registered under Section 34, 406, 498-A, 506 IPC at Police Station Baldev Nagar, District Ambala.

Learned counsel for the petitioner contends that marriage between the parties was solemnized during Covid-19 lockdown on 30.10.2020. The parties were batchmates and had done engineering together from Manipal Institute of Technology, Manipal (Bangalore) in the year 2015. Both of them took up jobs in Bangalore. There were temperamental differences between them. Resultantly, the petitioner left Bangalore on

08.01.2021, and since then the parties are not residing together. The FIR in question was lodged much later on 23.11.2022, leveling false allegations. The parents, on similar allegations, have already been granted anticipatory bail by the trial Court. It is also submitted that FIR has been lodged only to settle personal scores and to wreak vengeance on the petitioner and his family.

Notice of motion for 27.03.2023.

Ms. Ankita Ahuja, A.A.G. Haryana, who is present in Court, accepts notice on behalf of respondent No.1-State.

In the meanwhile, subject to the petitioner joining the investigation as and when called upon to do so by the Investigating Officer, as also abiding by other conditions of Section 438 (2) Cr.P.C., in the event of arrest he shall be released on interim bail to the satisfaction of Arresting Officer.”

3. Learned counsel for the petitioner contends that the matrimonial dispute has been amicably settled between the parties. A petition under Section 13-B of Hindu Marriage Act for dissolution of marriage by mutual consent has also been instituted. Furthermore, in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

4. Learned State counsel, on instructions from SI Vijay Kumar, submits that the petitioner has joined the investigation and his custodial interrogation is not required.

5. Learned counsel for the complainant has also not disputed the factual assertions as put forth by the learned counsel for the petitioner with regard to the amicable settlement having been effected between the parties.

6. In view of the aforesaid submissions, the order dated 16.01.2023, granting interim bail to the petitioner is made absolute.

7. The petition is allowed.

09.08.2023

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(VIVEK PURI)
JUDGE

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