

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2790-2023 (O&M)
Date of Decision : 13.07.2023

Bhawandeep SinghPetitioner

VERSUS

State of PunjabRespondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mayur Karkra, Advocate for the petitioner.

Mr. M.S.Tiwana, AAG Punjab.

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ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.86 dated 10.10.2022 registered under Sections 406, 498-A of the Indian Penal Code, 1860 at Police Station Women Patiala, District Patiala.

2. On 19.01.2023 the following order was passed :

“Bhawandeep Singh has filed anticipatory bail petition in FIR No.86 dated 10.10.2022 under Sections 406, 498-A of IPC, registered at Police Station Women Patiala, District Patiala.

Notice of motion.

On the asking of the Court, Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of the State.

Learned counsel for the petitioner argued that there are no specific allegations against the present petitioner. It was simple marriage performed during Covid-19 restrictions. Even then the petitioner is ready to join the investigation and further willing to explore the possibility of compromise.

Learned counsel representing the State has placed on record one list of alleged dowry articles and one bill of Aggarwal Jewellers.

Copy of the aforesaid list be supplied to the opposite counsel.

Considering the aforesaid facts, the arrest of the petitioner is stayed till next date, subject to the joining of investigation.

Adjourned to 15.03.2023.

Status Report be filed by the respondent – State by the adjourned date.”

3. Learned counsel for the petitioner would contend that the petitioner has since joined investigation and has fully cooperated. It is further the contention that the parties have also compromised the matter and have filed a petition under Section 13-B of the Hindu Marriage Act, 1955.

4. Learned counsel for the State, on instructions from HC Rahul Kumar, states that the petitioner has since joined investigation and is fully co-operating and that he is no longer required for further custodial interrogation as of now. Learned State counsel has also confirmed that the parties have compromised the matter and a filed a petition under Section 13-B of the Hindu Marriage Act, 1955. Learned counsel has further stated that the cancellation report has already been prepared and filed.

5. In view of the above, order dated 19.01.2023 is made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

July 13, 2023
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO