

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

203

CRM-M-3951-2023 (O&M)

Date of decision: 04.12.2023

Sahil Khan**...Petitioner****Versus****State of Punjab and another****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

Mr. Mikhail Kad, Advocate
for respondent No. 2/complainant.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 20, dated 12.11.2022, under Section 498-A IPC (Section 406 IPC added later on) at Police Station Women Cell, Malerkotla, District Malerkotla.

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the written complaint of complainant Gulshan Parveen alleging therein that her marriage was solemnized with Sahil on 06.01.2021. In the marriage, sufficient dowry articles including gold ornaments were given to petitioner Sahil and his family members as per their demand. The alleged that after marriage, the petitioner and his family members had raised demand of dowry in connivance with each other and gave severe beatings to her. The accused persons also tried to set her

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ablaze by pouring kerosene oil. On 16.07.2021, the accused persons raised demand of one motorcycle and cash amount of Rs.2,00,000/- on the pretext of raising business of her husband and thrown out the complainant out of her matrimonial house. The accused persons have also misappropriated the gold and silver ornaments of the complainant. The efforts were made to reconcile the matter, but to no avail. The accused persons were adamant on the demand of motorcycle and cash of Rs.2,00,000/-. The complainant prayed for taking penal action against the culprits. After registration of the FIR, investigation proceedings were initiated. The petitioner had filed an application for grant of anticipatory bail before the Additional Sessions Judge, Sangrur but the same was dismissed, vide order dated 19.01.2023 (Annexure P-3).

2. Vide order dated 25.01.2023, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Subsequently, offence under Section 406 IPC was added by the police and the same was incorporated in the present petition, vide order dated 24.07.2023.

3. Learned State counsel, on instructions from ASI Anayat Khan, states that the petitioner has joined the investigation and he is not required for custodial interrogation.

4. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 25.01.2023, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

04.12.2023

*Waseem Ansari**Whether speaking/reasoned**Whether reportable*

(MANISHA BATRA)

JUDGE

*Yes/No**Yes/No*