

2023:PHHC:110915

**201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-5572-2023

Date of Decision: 24.08.2023

DEEPAK BASSI

... PETITIONER

VS.

STATE OF PUNJAB AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Man Mohan, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. On 06.02.2023, the following order was passed:-

“The present petition is for grant of anticipatory bail to the petitioner in FIR No.130 dated 18.10.2022 under Sections 406, 498-A of IPC, registered at Police Station Kotwali Nabha, District Patiala.

Learned counsel for the petitioner submits that the allegations in the FIR are absolutely vague and evasive. In fact, even in the complaint submitted by the complainant, she specifically stated that before marriage, it was agreed that there shall be no exchange of dowry. Learned counsel for the petitioner further submits that initially interim bail was granted by the Court below but subsequently, the said anticipatory bail application has been dismissed only on the ground that recovery was not got effected. She submits that non-recovery of the dowry articles cannot be a ground to deny the bail.

Notice of motion.

On the asking of the Court, Mr. Arun Gupta, AAG, Punjab, who is assisted by ASI Ripan Kumar, accepts notice on behalf of the respondent No.1-State. Let notice be issued to respondent No.2 for the date fixed.

Adjourned to 26.04.2023.

Without commenting upon the merits of this case at this stage, the petitioner is directed to join investigation on 10.02.2023 at 10:00A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

It is made clear that this interim order shall not be a basis for deciding the petition on merits.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. Furthermore, the matrimonial dispute has been amicably settled between the parties on 16.04.2023 and copy thereof has been placed on record.

3. Learned State counsel, on instructions from ASI Ripan Kumar, submits that the petitioner has joined the investigation and his custodial interrogation is not required.

4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 06.02.2023, vide which the petitioner has been granted interim bail, is made absolute.

5. Petition is allowed.

24.08.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No