

CRM-M-10916-2023(O&M)
Date of decision: 09.10.2023

...PETITIONER

...RESPONDENT

CRM-M-10916-2023(O&M)**-2-***of investigation.**Adjourned to 01.05.2023.**Status report be filed by the respondent – State by the adjourned date.”*

4. Learned counsel for the petitioner contends that the present FIR has been lodged as an offshoot of the matrimonial dispute between the petitioner and the complainant. The allegations levelled in the FIR are false. No human semen and male DNA was detected from the swabs of the complainant. Even, false allegations with regard to extending of threats have been levelled against the petitioner.

5. On instructions from ASI Nachhatar Singh, learned State counsel submits that the mother of the complainant had submitted a complaint alleging that the petitioner had threatened them but subsequently, she has made a statement on 03.10.2023 to the effect that she has no objection if the said application is filed. It has also been submitted that in pursuance of interim directions, the petitioner has joined the investigation and his custodial interrogation is not required.

6. Learned counsel for the complainant has opposed the bail application on the score that the petitioner is extending threats to the complainant.

7. It may be mentioned here that the learned State counsel has specifically and categorically submitted that the mother of the complainant had made a categoric statement that the application submitted by her with regard to the threat perception may be filed. Moreover, in pursuance of interim directions the petitioner has joined the investigation and his custodial interrogation is not required. The present case is an offshoot of matrimonial dispute between the petitioner and the complainant.

8. In these set of circumstances, the petition is allowed and it is directed

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that in the event of arrest, the petitioner be released on bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he complies with the provisions of Section 438(2) Cr.P.C.

09.10.2023

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(VIVEK PURI)
JUDGE

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