IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205 **CRM-M No.11386 of 2023 (O&M)**
Date of Decision : 20.10.2023

Prem Kumar ....Petitioner

VERSUS

State of Punjab and Another .....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Adarshdeep Singh, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

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.100 dated 06.12.2022 under Sections 498-A, 406 and 506 of the Indian Penal Code, 1860 registered at Police Station City-II, Abohar.

2. On 03.03.2023 the following order was passed :

> *"This is a petition for grant of pre-arrest bail to the petitioner in case FIR No.100 dated 06.12.2022 under Sections 498-A, 406, 506 IPC, registered at Police Station, City-II, Abohar.*
>
> *Learned counsel for the petitioner contends that the allegations against the petitioner-husband are vague and general in nature, and do not constitute commission of the alleged offences. There is no specific entrustment*

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Chandigarh

of dowry articles. On these very allegations, the investigating agency found that no offence was made out against other family members, and the FIR was lodged only against the petitioner. He further submits that allegations of the petitioner giving beating to the complainant-wife when she was pregnant and also her subsequent admission in the hospital by her parents on that account, are false. Infact, she was admitted in the hospital by the petitioner's brother-in-law, Sunil Kumar, on 21.06.2022 and the cause on her illness was rupture of fallopian tube during pregnancy, as is apparent from the letter issued by the Nursing Home dated 29.08.2022 (Annexure P-2).

Notice of motion for 11.07.2023.

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

3. Learned counsel for the petitioner states that the petitioner has since joined the investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Vishlesh Kumar has stated that the petitioner has since joined investigation and fully cooperated and that he is no longer required for further custodial interrogation as of now.

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5. In view of the above, the order dated 03.03.2023 is made absolute. The petitioner shall, however, join investigation as and when called. 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.

(ALKA SARIN)
JUDGE

20.10.2023
jk

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

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