

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(207)

CRM-M-19659-2023

Date of decision:- 08.08.2023

Harwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Mr. Virat Rana, AAG Punjab.

HARPREET SINGH BRAR, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.0005 dated 18.01.2023 registered under Sections 498-A, 406 IPC, 1860 at PS-Women, District Bathinda (Annexure P-1)

On 21.04.2023, following order was passed by the Co-ordinate Bench of this Court:-

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“Learned counsel for the petitioner contends that both, the petitioner as well as the complainant were in Malaysia prior to marriage. Their marriage was solemnized in India on 28.01.2019. Thereafter, the complainant went back and stayed in Malaysia. She came back to India only in August 2020 and left the matrimonial home in June 2021. The parties have been separate ever-since. The complaint, leading to lodging of the FIR in question, was made to the police by her only a year later on 12.05.2022. The allegations are an afterthought, and have been levelled only to settle personal scores. Similar allegations against other family members, except the petitioner and his mother, were found false by the police. The petitioner is still willing to settle the matter with the complainant to save his marriage.

Notice of motion. Mr. Jashandeep Singh, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 08.08.2023.

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.”

2. Learned State counsel, on instructions from ASI Gurmeet Singh, states that pursuant to order dated 21.04.2023, petitioner has joined the investigation and is no more required for custodial interrogation.

3. In view of the statement of learned State counsel, order dated 21.04.2023 is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.

4. Petition stands disposed of.

5. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

August 08, 2023

spn

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