

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

211

Criminal Misc. No. M-25176 of 2022

Date of decision :-22.08.2023

Navrajpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.0050 dated 22.3.2022, under Sections 498-A and 406 IPC, registered at Police Station Sadar Tarn Taran, District Tarn Taran.

On 02.6.2022, this Court had passed the following order

:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of a matrimonial discord between the petitioner and the complainant; there is no other criminal case pending against the petitioner; there is no medical evidence to support the allegations of strangulation and poisoning showing falsity in the same; the petitioner is ready and willing to return all admitted articles of dowry; the petitioner is also ready and willing to amicably resolve the

matrimonial dispute with the complainant and that the petitioner shall join and cooperate with the investigation.

Notice of motion.

Ms.Gunkirat Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 05.09.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.50, dated 22.03.2022, registered under Sections 498-A, 406 IPC at Police Station Sadar Tarn Taran, District Tarn Taran, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned counsel for the petitioner submits that this is a case of run away marriage wherein the prosecutrix had run away with the petitioner and obtained protection from the Sessions Court vide order dated 12.5.2021 (Annexure P-2). They have solemnized marriage on 12.5.2021 itself. It is submitted that thereafter the differences cropped up between the parties and now they are living separately. He further submits that pursuant to orders dated 02.6.2022 and 05.9.2022 the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rashpal Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation, however, educational documents of the prosecutrix are yet to be recovered from him.

Learned counsel for the petitioner submits that the said documents are not in possession of the petitioner and he is even ready to pay for issuance of duplicate copies of the said educational documents.

In view of the above, the order dated 02.6.2022 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

August 22, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No