

CRM-M-24167-2023

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2023:PHHC:069004

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-24167-2023

Date of Decision: 12.05.2023

Dharminder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Jagmeet Singh Moudgil, Advocate
for the petitioner.

SANJEEV PRAKASH SHARMA, J (ORAL)

Prayer in the present petition under Section 438 Cr.P.C. is for grant of anticipatory bail to petitioner in case FIR No.55 dated 25.04.2023 under Sections 323, 341, 498-A, 506 and 34 IPC, registered at Police Station Camp Moonak, District Sangrur.

Notice of motion.

Mr. Jiteshwar S. Bhandari, AAG, Punjab, accepts notice on behalf of respondent No.1-State.

At this stage, Ms. Promila Nain, Advocate has put in appearance on behalf of the complainant/respondent No.2 and filed her Power of Attorney, which is taken on record.

Taking into consideration the nature of allegations made by the wife against her husband after having remained married for 18 years, this Court finds that the offence under Section 498-A IPC prima facie is not made out.

Accordingly, the present petition is allowed and it is directed

that in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

12.05.2023
D.Bansal

(SANJEEV PRAKASH SHARMA)
JUDGE

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