

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 209

CRM-32608-2022

Date of decision : 10.01.2023

Dr.Sudhir Rana

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vansh Chawla, Advocate, for the petitioner.  
Mr.Rajiv Sidhu, DAG, Haryana.  
Ms.Shweta Nahata, Advocate, for UOI.  
Mr.Baljinder Singh, Legal aid counsel, for the complainant.

\*\*\*\*\*

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.0061 dated 14.07.2021 registered under Sections 406 and 498A IPC at Women Police Station, Ambala.

On 21.11.2022 this Court had passed the following order: -

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in this case on account of marital discord between the petitioner and the complainant; the petitioner has no other criminal antecedents; rather, the petitioner is a highly qualified person who is presently serving as an Associate Professor in Gulf Medical University, Ajman, United Arab Emirates (for short - U.A.E.); the allegations with regard to cruelty by the petitioner are vague and in any case are not backed with any evidence; in fact, the petitioner and the complainant have been residing separately since March, 2018; even the allegations with regard to demand of dowry and retention of dowry/Istridhan articles are false; in any case, the parents of the petitioner at the time of joining the investigation have returned all the articles of Istridhan which the complainant had got at the time of her marriage; the look-out notice issued against the petitioner is not warranted as the petitioner while serving in the U.A.E. has been in constant touch through e-mail etc. with the Haryana Police; in this regard reference is made to one such e-mail dated 29.08.2021 through which the petitioner had written to the Haryana Police bringing to their notice his version as also seeking time to join the investigation process; the afore communication clearly shows the bona fides on the part of the petitioner; the earlier petition filed for anticipatory bail was withdrawn by the petitioner on 27.05.2022 as at that time his employer in the U.A.E. had mandated the petitioner's physical presence in the institution where he was serving; now the petitioner will join the investigation within 10 days from today and that in any case he is ready and willing to finally settle the matrimonial dispute(s) with the complainant.

Notice of motion.

Mr. Jagbir Malik, Addl. A. G., Haryana accepts notice on behalf of respondents No.1 & 4 and Ms. Shweta Nahata, Advocate accepts notice on behalf of respondents No.2 & 3.  
Adjourned to 20.02.2023.

In the meanwhile, subject to the petitioner's landing in the territory of this country within 10 days from today and 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, his arrest in FIR No.0061 dated 14.07.2021 registered under Sections 406 and 498-A IPC at Women Police Station, Ambala, shall remain stayed on an ad interim basis.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined the investigation and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, the order of this Court dated 21.11.2022, staying the petitioner's arrest on an *ad interim* basis is ordered to be made absolute.

10.01.2023  
shamsher

[DEEPAK SIBAL]  
JUDGE

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