

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31802-2023
Date of Decision: 20.09.2023

HARPREET SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Loveleen Nanda, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

Mr. Hardik Ahluwalia, Advocate for the complainant.

* * * *

VIVEK PURI, J. (ORAL)

1. On 06.07.2023, following order was passed:

“ 1. The petitioner is seeking anticipatory bail in the case bearing FIR No.26 dated 12.06.2023 under Sections 323, 498-A, 34 IPC registered at Police Station City Kurali, District SAS Nagar, Mohali.

2. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized on 29.01.2020 and a son, presently aged about 2 ½ years, has been born from the wedlock. The complainant is residing separate from the petitioner on account of temperamental differences. In fact, on 07.06.2023, the complainant alongwith her parental family members came to the house of the petitioner and inflicted injuries upon him. The occurrence has been recorded in CCTV Cameras and representation, Annexure P-6, has also been submitted to the SSP, SAS Nagar. The petitioner is ready and willing to amicably settle the matrimonial dispute.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice on behalf of the respondent-State and submits that three persons have sustained injuries in the occurrence but the same fall under Section 323 IPC.

5. Mr. Hardik Ahluwalia, Advocate, has appeared on behalf of the complainant and submitted that in-fact on 07.06.2023, the petitioner was armed with dang and

inflicted injuries upon the complainant and her parental family members and the occurrence, as alleged by the learned counsel for the petitioner took at a subsequent stage.

6. On a query as to whether, the complainant is ready and willing to explore the possibility of amicable settlement through mediation, learned counsel for the complainant submits that he has instructions that the complainant is not inclined for the same.

7. Adjourned to 20.09.2023.

8. In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

2. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

3. Learned State counsel, on instructions from ASI Rajpal, has submitted that the petitioner has joined the investigation and his custodial interrogation is not required.

4. Learned counsel for the complainant submits that the recovery of articles of *Istridhan* is yet to be effected.

5. It is significant to note that the offence under Section 406 IPC has not been invoked in the instant case. The petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

6. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 06.07.2023 is made absolute.

20.09.2023

Janki

(VIVEK PURI)
JUDGE

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