

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M-34956-2023
Date of Decision: 14.11.2023

SUNNY

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present:- Mr.M.S. Saini, Advocate
for the petitioner.

Mr.Hittan Nehra, Addl.A.G. Punjab.

Mr. Vishal Sharma, Advocate for respondent No.2.

VIVEK PURI, J.(ORAL)

1 On 21.07.2023 following order was passed:-

“1. Petitioner is seeking anticipatory bail in case bearing FIR No.138 dated 10.11.2022 under Sections 323/498A IPC, registered at Police Station Anandpur Sahib, District Rupnagar.

2. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 04.04.2021. It was second marriage of both the parties. It was love marriage of the parties and no articles of Istridhan were given at the time of marriage. After the marriage, the petitioner had gone to Muscat for employment. The complainant also wanted to join his company over there but her visa could not be procured. On that score, the present FIR has been got registered. The petitioner had sustained leg injury in Muscat and returned back to India in June, 2023. The petitioner is ready and willing to amicably settle the matrimonial dispute.

3. It has been further submitted that the complainant has left the matrimonial home and short adjournment has been requested to verify and furnish her present address.

4. Notice of motion.

5. Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State.

6. Adjourned to 14.08.2023.

7. Meanwhile, the petitioner shall join the

investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

8. The petitioner is also directed to furnish the address of the complainant before the next date of hearing”.

2. As per the report received from the mediator, no settlement was possible between the parties.
3. Learned counsel for the petitioner contends that in pursuance of the interim directions the petitioner has joined the investigation.
4. Learned State counsel, on instructions from ASI Balbir Singh, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.
5. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 21.07.2023, vide which the petitioner has been granted interim bail, is made absolute.
6. Petition is allowed.

14.11.2023
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(VIVEK PURI)
JUDGE

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