

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35763-2023
Date of Decision: 24.11.2023

GOURAV DHAMIJA

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rajesh Narang, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

1. On 26.07.2023, following order was passed by the Co-ordinate

Bench:

“The petitioner herein seeks the relief of anticipatory bail in the criminal case arisen out of the FIR bearing No.109 dated 16.06.2023 registered at Police Station City Fazilka, District Fazilka, under Sections 498-A & 406 read with Section 34 IPC.

Learned counsel for the petitioner, inter-alia, contends that the petitioner has been got falsely implicated in the criminal case under reference because the complainant-wife was having extra-marital affair with her ex-boyfriends and the petitioner had raised objection for the same and moreover, the petitioner is ready to join in the investigation as and when so required and he is also not involved in any other criminal case.

Notice of motion.

Mr. Kunwarbir Singh, learned Assistant Advocate General, Punjab, who has put in appearance on behalf of respondent No.1 in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice and he seeks some time to get proper and complete instructions qua the present matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 24.11.2023.

Let notice be issued to respondent No.2 for the date fixed through ordinary process, email or any other electronic mode.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal as well as surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C. .”

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 Mohinder Singh, has submitted that the petitioner has joined the investigation and his custodial interrogation is not required.
4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 26.07.2023 is made absolute.

24.11.2023

Janki

**(VIVEK PURI)
JUDGE**

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