

2023:PHHC: 133680

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37595-2023

Date of decision: 13.10.2023

RAJAN VERMA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Ms. Ridhi Bansal, Advocate for the complainant.

VIVEK PURI, J. (ORAL)

1. On 16.08.2023, following order was passed in the main case:-

“4. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.106 dated 27.07.2023 registered under Sections 498-A/406/323/341/506/34 IPC at Police Station Civil Lines, Patiala, District Patiala.

5. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 06.12.2021. The allegations are with regard to inflicting injuries on the person of the complainant who was running fourth month of pregnancy. There is visible sign of only one injury which is abrasion on the right elbow and injuries No.2 to 4 are with regard to complainant on different body parts. No damage has occurred to the fetus. The dispute between the parties is primarily on the score that the complainant does not want to reside with her mother-in-law. The father of the petitioner has since died. The mother and maternal uncle of the petitioner who are also arraigned as co-accused have been granted anticipatory bail. Furthermore, the petitioner is ready and willing to amicably settle the matrimonial dispute.

6. Notice of motion.

7. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State and seeks time to file reply in the matter.

8. Ms. Ridhi Bansal, Advocate has put in appearance on behalf of the complainant and has controverted the averments as sought to be put forth by the learned counsel for the petitioner. However, it has been submitted that the complainant was inflicted injuries while she was on family way and she is not ready and willing to explore the possibility of amicable settlement.

9. Adjourned to 13.10.2023.

10. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the

Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.
11. Reply, if any, be filed in the meantime.”

2. Status report by way of affidavit of Karnail Singh, PPS, Deputy Superintendent of Police, PBI/Crime Against Women & Children, District Patiala has been filed on behalf of respondent is taken on record.

3. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner had joined the investigation and all the articles of *Istridhan* that were in possession of the petitioner, have been handed over to the investigating agency.

4. Learned State counsel, on instructions from HC Paramjit Singh, submits that petitioner has joined the investigation and recovery of golden ornaments has been effected. However, it has been submitted that some silver articles and household articles are yet to be recovered.

5. Learned counsel for the complainant has also opposed the bail application on the score that recovery is yet to be effected.

6. Be that as it may, the controversy as to whether the articles of *Istridhan* were entrusted to the petitioner and have been misappropriated by him will be debatable and moot point during the course of trial. The petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

7. In view of the aforesaid submissions, the order dated 16.08.2023, granting interim bail to the petitioner is made absolute.

8. The petition is allowed.

13.10.2023
manoj

(VIVEK PURI)
JUDGE

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