

206 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-48745-2022
Date of decision: 19.07.2023

PARAMPAL SINGH DHILLON

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Suneet Pal Singh Aulakh, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI,J. (ORAL)

1. Mr. Abhay Gupta, Advocate has put in appearance on behalf of respondent No.2 and filed Vakalatnama, which is taken on record.

2. On 03.11.2022, the following order was passed:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.0141 dated 13.07.2022, registered for offences under Sections 498-A, 406 and 506 of the Indian Penal Code, 1860, at Police Station Sadar Dhuri, District Sangrur, Annexure P-1.

Perusal of the paper book shows that petitioner's wife is in Canada and FIR, Annexure P-1, has been lodged by his father-in-law.

Issue notice to the respondents returnable on 23.02.2023. Petitioner is directed to appear before the Investigating Officer on 10.11.2022 at 10.00 A.M. at Police Station Sadar Dhuri, District Sangrur, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with respondent No.3 on 16.01.2019. Respondent No.3

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respondent No.2. In the year 2020, the respondent No.3 had visited India and taken her entire jewellery and articles for the purpose of attending wedding in her parental family. The petitioner is not in possession of any article of *Istri Dhan* and in pursuance of interim directions, the petitioner has joined the investigation.

4. On instructions from SI Malkit Singh, learned State counsel submits that the petitioner has joined the investigation and his custodial interrogation is not required.

5. However, learned State counsel and counsel for respondent No. 2 submit that the recovery of cash and some jewellery is yet to be effected.

6. Be that as it may, the controversy as to whether the articles of *Istri Dhan* were entrusted to the petitioner and have been misappropriated by him will be a debatable and moot point during the course of trial. The petitioner has joined the investigation and his custodial interrogation is not required. As such, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

7. In view of the aforesaid submissions, the order dated 03.11.2022, granting interim bail to the petitioner is made absolute.

8. The petition is allowed.

19.07.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No