

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

CRM-M-49253-2022

Date of Decision: 13.02.2023

RAJINDER SINGH

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Puja Chopra, Advocate for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab
assisted by ASI Baljinder Singh.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No.60 dated 01.09.2022, registered at Police Station Women Patiala under Sections 406 and 498A of IPC.

On 21.10.2022 following order was passed:

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in this case due to marital discord between the petitioner and the complainant; the petitioner has no other criminal antecedents; the petitioner and the complainant got married seven and a half years ago and therefore the present complaint has been made after an unexplained delay of many years; the allegations with regard to demand of dowry and harassment by the petitioner are false and in any case vague and unsubstantiated; similarly, the allegations that the petitioner is having illicit relations with some other lady are not supported by any evidence whatsoever and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr. Navneet Singh, Senior DAG, Punjab accepts notice on behalf of the respondent-State.

For arguments, adjourned to 13.02.2023.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.60 dated 01.09.2022 registered under Sections 406 and 498-A IPC at Police Station Women Patiala, district Patiala, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that petitioner has already joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim protection granted to the petitioner vide order dated 21.10.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

13.02.2023
Ali

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