

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

201-2

CRM-M-49886-2022

Date of Decision: 19.01.2023

Lakhwinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.Gaurav Tyagi, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

Reply dated 18.01.2023 by way of affidavit of Gaurav Fogat, HPS, Deputy Superintendent of Police Karnal-II, District Karnal, is taken on record. Registry is directed to tag the same at appropriate place.

On 28.10.2022, the following order was passed :-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case on account of marital discord between the petitioner and the complainant; the petitioner has no other criminal antecedents; the petitioner and the complainant were married over 10 years ago and therefore, the allegations with regard to demand of dowry are not only false but also highly belated; the allegations with regard to beatings given by the petitioner are also false and in any case vague with no medical evidence; in fact it is the petitioner who had been given beatings at the

behest of the complainant [in this regard attention of this Court is drawn to the petitioner's MLR dated 05.07.2022 (Annexure P-2)]; the petitioner is ready and willing to return all the admitted dowry articles/Istri Dhan; similarly placed co-accused Inder Singh, Jasbir Kaur, Gurmeet Singh, Nishan Singh and Amarjeet Kaur, who have earlier approached this Court through CRM-M-46917-2022 – Inder Singh and others vs. State of Haryana have been granted ad-interim bail by this Court and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms. Sheenu Sura, DAG, Haryana, accepts notice on behalf of the respondent-State and prays for time to argue the matter.

Adjourned to 19.01.2023.

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.348 dated 12.09.2022 registered under Sections 323, 406, 498-A, 506 and 34 IPC at Police Station Nissing, District Karnal, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Satish Kumar submits that petitioner has joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioners vide order dated 28.10.2022 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

19.01.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>