

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53401-2022
Date of Decision: 01.08.2023

RAJVEER SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Chandan Singh Rana, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

Mr. Rohit Singla, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in case bearing FIR No. 70 dated 30.06.2022 under Sections 406, 498-A IPC registered at Police Station Daba, District Ludhiana.

2. On 17.11.2022, following order was passed by the Co-ordinate Bench:

“Notice of motion.

On the asking of this Court, Mr. Kunwarbir Singh, Assistant A.G. Punjab accepts notice on behalf of the State and prays for some time to complete instructions.

Mr. Rohit Singla, Advocate has appeared and filed power of attorney on behalf of the complainant in Court today which is taken on record.

Adjourned to 25.01.2023.

Learned State counsel is directed to file reply on or before the adjourned date.

In the meantime, arrest of the petitioner is stayed till next date subject to joining of investigation.”

3. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 26.02.2009 and a daughter has been born from the wedlock. The allegations were levelled against the petitioner and 5 other family members. However, all the other persons except the petitioner and his father were found to be innocent. Balwinder Singh, the father of the petitioner has been granted concession of anticipatory bail. The complainant had levelled false allegations with regard to cruelty and misappropriation of articles of *Istridhan*. The articles of *Istridhan* which were in possession of the petitioner have already been handed over to the investigating agency and he is not in possession of any other article. Furthermore, the petitioner was involved in a case under Sections 363, 366A IPC in the year 2010 and has been acquitted therein. The petitioner is also arraigned as an accused in another case bearing FIR No. 82 dated 09.08.2018 under Section 21 of Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Phase VIII, SAS Nagar, Mohali wherein he is on bail.

4. Learned State counsel, on instructions from ASI Meet Ram, has submitted that except 4 tolas of jewellery, other articles have been recovered, the petitioner has joined the investigation and his custodial interrogation is not required.

5. The controversy as to whether the articles of *Istridhan* 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 in pursuance of the interim directions issued by this Court.

6. For the aforesaid reasons, the petition stands allowed and it is directed that in the event of arrest, the petitioner be released on bail to the satisfaction of the arresting officer and this order shall be further subject to the condition that the petitioner abides by the conditions as stipulated under Section 438(2) of the Cr.P.C.

01.08.2023

Janki

(VIVEK PURI)
JUDGE

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