

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M No.53046 of 2023
Date of Decision: 22.11.2023

Mandeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sourabh Singla, Advocate,
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. Through the instant petition under Section 438 of Code of Criminal Procedure, the petitioner seeks anticipatory bail in case FIR No.0083, dated 19.09.2023, registered under Sections 406 and 498-A of IPC, at Police Station PS Women, District Patiala, Punjab.

2. Brief facts of the case as relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on 19.09.2023 on the basis of a written complaint submitted by the complainant Gurpreet Kaur alleging therein that she was married with the present petitioner Mandeep Singh on 11.01.2009. Huge amount of money was spent in her marriage. The family of the petitioner was running a rice mill. In the year 2012, huge losses were incurred in that business due to which it was closed and financial condition of the family of the petitioner had become bad due to which he shifted to Thailand and had been residing there and was running a restaurant. She alleged that after

Neutral Citation No.2023:PHHC:148806

suffering of losses in the business of rice mill, the petitioner and his father had started harassing the complainant by raising demand of Rs.5 lacs for running some other business. She was being mentally as well as physically tortured. The petitioner visited India only on few occasions and the complainant noticed that he had indulged into relationships with other females. On 07.10.2022, he had even brought a girl along with him when he visited India. She alleged that she was compelled to live with her parents and now she was staying in an Ashram. She prayed for taking action against the petitioner.

3. After registration of FIR, investigation proceedings were initiated and are going on.

4. The present petition has been filed by the petitioner on the grounds that he has been falsely implicated in this case. He did not commit the subject offences. Rather no case for commission of offences punishable under Sections 406 and 498-A of IPC had been made out against him at all and, therefore, prayer has been made by him for extending him benefit of anticipatory bail.

5. Vide order dated 18.10.2023, the petitioner was directed to join the investigation. Today, learned State counsel, on instructions from HC Rahul Kumar, has stated that the petitioner has joined the investigation. The custodial interrogation of the petitioner is no more required. The subject offences are triable by Magistrate.

6. Keeping in view the entire facts and circumstances, I am of the considered opinion that it is a fit case for exercising powers under Section 438 of Cr.P.C. and for extending benefit of anticipatory bail to the petitioner.

Hence, the petition is allowed and the order dated 18.10.2023 is made

Neutral Citation No.2023:PHHC:148806

absolute subject to the conditions that the petitioner shall appear before the Arresting Officer/Investigating Officer within one week and shall join the investigation as and when required by the Investigating Officer and subject to other usual terms and conditions of Section 438 (2) of Cr.P.C.

22.11.2023
manju

(MANISHA BATRA)
JUDGE

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