

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

**CRM-M-55498-2022
Date of Decision: 27.07.2023**

**JASVEER SINGH ... PETITIONER
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Deshpreet Singh, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.
Mr. Saksham Malhotra, Advocate for respondent No.2.

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VIVEK PURI, J. (ORAL)

1. On 01.12.2022, following order was passed by the Co-ordinate

Bench:

“Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.61, dated 27.09.2022, under Sections 498-A, 406 IPC, registered at Police Station Women Cell, District Bathinda.

It has been contended by counsel for the petitioner that petitioner solemnized marriage with the complainant on 20.10.2019, however, there is no issue out of the marriage so far. He submits that dispute, if at all between husband and wife, is on petty issues of the matrimonial life but the same has been given the colour of a criminal case. He has submitted that allegations pertaining to harassment on account of demand of dowry etc. are false and frivolous. He submits that petitioner is ready to settle the dispute amicably if the matter is referred to Mediation Centre. He relies upon Arnesh Kumar vs State of Bihar and another, 2014(3) SCC (Crl.) 449 and submits that in view of the aforementioned facts, no case for custodial interrogation is made out, however, he is ready to join the investigation and abide by all the terms and conditions of the anticipatory bail if this Court considers his request for granting the same.

Issue notice of motion for 28.03.2023.

On the asking of the Court, Mr.Sandeep Kumar, DAG, Punjab, who is present in Court, accepts notice on behalf of

the respondent-State.

Petitioner is also directed to pay Rs.25,000/- as litigation expenses to complainant on within one month from today.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C.:-

“(i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so;

(ii) That the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) That the petitioner shall not leave India without prior permission of the Court.”

State is directed to file status report on or before the next date of hearing.”

2. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation and also handed over a draft in the sum of Rs.25,000/- to the complainant as per the directions issued by the Court.

3. Learned State counsel, on instructions from ASI Ranjit Singh, has not disputed the aforesaid factual aspects and further submitted that the custodial interrogation of the petitioner is not required.

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.12.2022 is made absolute.

27.07.2023

Janki

**(VIVEK PURI)
JUDGE**

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