

CRM-M-53997-2023
Date of decision: 04.12.2023

...PETITIONER

...RESPONDENT

2. Learned counsel for the petitioner contends that the petitioner has joined

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the investigation in pursuance of interim directions and is not in possession of any article of *Istri Dhan*.

3. On instructions from ASI Jagpal Singh, learned Public Prosecutor for UT, Chandigarh submits that the petitioner has joined the investigation and his custodial interrogation is not required. However, the recovery of some articles of *Istri Dhan* is yet to be effected.

4. Learned counsel for the complainant has opposed the bail application on the score that there are allegations with regard to commission of offence under Section 420 IPC. The father of the petitioner is a retired police official of UT, Chandigarh. The other relatives of the petitioner have been exonerated. A representation has been submitted to the IG Police and an enquiry in the matter is pending. Furthermore, the complainant has already submitted a petition under Section 12 of Hindu Marriage Act for annulment of marriage between the petitioner and the complainant.

5. Be that as it may, the controversy as to whether the articles of *Istri Dhan* 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. As such, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

6. In view of the aforesaid submissions, the order dated 23.10.2023, granting interim bail to the petitioner is made absolute.

7. The petition is allowed.

04.12.2023

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(VIVEK PURI)
JUDGE

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