

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

**CRM-M-65503-2023
DECIDED ON: 28.12.2023**

SHASHI KANT

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Chander Shekhar Singhal, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.84, dated 05.10.2023, under Sections 498-A, 406, 324 of IPC, 1860 registered at Police Station Women Cell, Mohali (SAS Nagar) Punjab.

2. Learned counsel for the petitioner contends that the petitioner is ready and willing to take the complainant namely Komal Devi alongwith him to the matrimonial home and wishes to save the marriage. He however, submits that though earlier efforts have been made for reconciliation, but on all the occasions due to temperamental differences, the complainant left her matrimonial home and is in the habit of making complaints to the police, though none of the allegations is specific or categoric except a bald statement that a motorcycle and cash is being demanded after 18.09.2022, whereas in earlier complaints made in June 2022 and July 2022, there is no assertion qua such demand at all. There is a son born out of this wedlock and for the sake of future of that minor child as well, the petitioner wishes to continue in the matrimonial relationship with the complainant.

3. Notice of motion.
4. On the asking of Court, Mr. Rajiv Verma, DAG Punjab accepts notice on behalf of respondent-State, who on instructions from ASI Sashvir Kumar submits that custodial interrogation is not required.
5. In the light of above factual circumstances and the submissions made by learned counsel for respective parties, the petition deserves to be allowed.
6. Hence, the present petition is disposed of with a direction to the petitioner to join the investigation, subject to his furnishing personal/security bonds to the satisfaction of Arresting/Investigating Officer. He shall join the investigation on 31.12.2023 at 10.00 AM with the Investigating Officer. However, it is made clear that in case the petitioner fails to join the investigation on the stipulated date and time given by this Court, respondent-State is at liberty to file an appropriate application for cancellation of anticipatory bail granted by this Court. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.
7. Ordered accordingly.

28.12.2023

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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>