

RAHUL MAHAJAN

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukesh Kumar Jindal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, petitioner is seeking anticipatory bail
in case FIR No. 10 dated 14.01.2024 registered under Sections 406, 498-A of
Indian Penal Code at Police Station Division No. 2, District Pathankot.
2. On 25.01.2024, following order was passed:

*“Prayer is for grant of anticipatory bail in case FIR
No.10 dated 14.01.2024 under Sections 406,498-A IPC registered at
P.S Division No.2, District Pathankot.*

*Learned counsel for the petitioner submits that it was
the complainant, who herself had left the matrimonial home under a
misconception that the petitioner was having an illicit affair. Even
during preliminary inquiry prior to registration of present FIR, all
the family members including father, mother and sister of the
petitioner were found innocent. It is contended that in fact, it was a
simple marriage with no dowry articles being ever demanded. The
petitioner is ready and willing to join investigation.*

Notice of motion for 22.04.2024.

*Ms. Kanica Sachdeva, AAG, Punjab and Mr. Pradeep
Virk, Advocate accept notice on behalf of respondent-State of Punjab
and the complainant respectively.*

*Meanwhile, in the event of arrest, the petitioner shall
be released on interim anticipatory bail to the satisfaction of the
Arresting/ Investigating Officer, subject to the conditions provided
under Section 438(2) Cr.P.C. The petitioner is also directed to join*

the investigation and cooperate with the Investigating Agency, as and when required.”

3. Learned State counsel on instructions from ASI Balwinder Singh, submits that, in compliance of order dated 25.01.2024 passed by this Court, the petitioner has joined the investigation, he is not required for further interrogation, but vide DDR No. 36 dated 12.02.2024, offences under Sections 420, 467, 468 and 471 of IPC have been added in the FIR.
4. Mr. Inderjit Sharma, Advocate has put in appearance on behalf of respondent No. 2 and filed his power of attorney. Same is taken on record. Learned counsel for respondent No. 2 vehemently opposes the prayer for grant of anticipatory bail to the petitioner on the ground that petitioner has not only treated the complainant with cruelty but also indulged in forgery and as such his custodial interrogation is required.
5. Keeping in view the fact that petitioner has joined the investigation in compliance of the order dated 25.01.2024, passed by this Court, the order dated 25.01.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C.
6. The petition is accordingly allowed.

22.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No