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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19159-2024 (O&M)
Date of decision: 18.07.2024

Himanshu Aggarwal

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Nitin Sachdeva, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.29 dated 03.04.2024 under Sections 406, 498-A, 377, 354, 120-B of IPC, registered at Police Station Women, Ludhiana, District Ludhiana.

2. On 20.04.2024, the following order was passed:-

“The petition has been filed for seeking pre arrest bail in case arising out of FIR No.29 dated 03.04.2024 registered under

2024:PHHC:089875



Sections 406, 498-A, 377, 354, 120-B of IPC at Police Station Women, Ludhiana, District Police Commissionerate, Ludhiana on the basis of written complaint filed by the complainant-Diksha Thukral against the present petitioner who is her husband as well as other members of her in-laws family making allegations of her being subjected to cruelty on account of demand of dowry by them and criminal misappropriation of her istridhan and making allegations against the present petitioner qua commission of offences punishable under Sections 406, 498-A, 377, 354, 120-B of IPC. Several instances have been quoted by the complainant with regard to the acts and conduct of the petitioner and his family members.

It is argued by counsel for the petitioner that he has been falsely implicated in this case. Other members of her family have been extended benefit of interim bail and have since joined the investigation. It is a case of temperamental differences between the petitioner and the complainant and allegations qua demand of dowry and criminal misappropriation as well as other specific allegations are not being made out against the petitioner. His custodial interrogation is not required. He is ready to join the investigation.

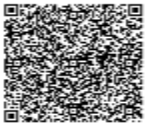
At this stage, on oral request of counsel for the petitioner, the complainant is ordered to be impleaded as respondent no.2.

Amended memo of parties be filed.

Notice of motion.

Learned State counsel who has advance notice of this petition seeks some time to file status report.

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Adjourned to 29.05.2024.

Notice to respondent no.2 be issued for the date fixed, on filing of requisite process fee.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from ASI Surinder Pal, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 20.04.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.
5. The petition stands disposed of.

[HARPREET SINGH BRAR]
JUDGE

18.07.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No