

CRM-M-25148-2022
Date of decision: 19.04.2024

...PETITIONER

V/S

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (ORAL)

Through instant petition, the petitioner is seeking anticipatory bail in case FIR No.61 dated 04.05.2022 registered under Sections 406, 498-A of IPC and Section 4 of Dowry Prohibition Act, 1961 at Police Station City Jalalabad, District Fazilka.

2. On 02.06.2022, following order was passed:

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of a matrimonial discord between the petitioner and the complainant; there is no other criminal case pending against the petitioner; the marriage of the petitioner and the complainant took place 07 years ago and during this period no complaint has been filed by the complainant with regard to demand of dowry or harassment/beatings, there is no medical evidence to back the vague allegations by the complainant with regard to the petitioner having strangled and electrocuted her, the petitioner is ready and willing to return all admitted articles of dowry and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

*Ms. Gunkirat Kaur, Assistant Advocate General,
Punjab, accepts notice on behalf of the respondent-State.*

For arguments, adjourned to 02.09.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.61, dated 04.05.2022, registered under Sections 406, 498-A IPC and Section 4 of Dowry Prohibition Act, 1961 at Police Station City Jalalabad, District Fazilka, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

3. Learned State counsel, on instructions from ASI Jarnail Chand, submits that in compliance of order dated 02.06.2022 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel the order dated 02.06.2022, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.
5. The petition is accordingly allowed.
6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial Court shall proceed without being prejudiced by observations of this Court.

April 19, 2024
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(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No