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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30478-2024

Date of decision: 21.10.2024

Ankit Gupta

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.63 dated 02.05.2024 under Sections 498-A/406 of IPC registered at Police Station City Sunam, District Sangrur (Annexure P-1).

On 25.06.2024, the following order was passed:-

'1. Prayer in this petition, filed under Section 438 of the Code of Criminal Procedure, 1973, is for grant of anticipatory bail to the petitioner – Ankit Gupta, aged about 35 years, who has been booked for having committed the offences punishable under Sections 498-A, 406 of IPC, 1860, in a case arising out of FIR No. 63, dated 02.05.2024, registered at Police Station City Sunam, District Sangrur.

2. Learned counsel for the petitioner contends that a simple marriage was performed on 02.12.2022 between petitioner (being husband) and respondent No.2-complainant (being wife), however, due to temperamental differences, the dispute has arisen between them, which resulted into lodging of present FIR.

3. Notice of motion.

4. On the asking of the Court, Mr. Rohit Ahuja, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State, and seeks time to file status report.

5. At this stage, Mr. Sumit Bajaj, Advocate, puts in appearance on behalf of respondent No.2 – complainant and files his Power of Attorney, which is taken on record, subject to all just exceptions.

6. Adjourned to 28.08.2024.

7. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 438(2), Cr.PC.



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8. To find out the possibility of amicable settlement of dispute between the parties, both petitioner and complaint shall remain present in Court on the next date of hearing.

To be taken up at 2:00 P.M.'

Thereafter, on 14.10.2024, the following order was passed:-

'Learned counsel for the parties jointly submit that the gold articles of respondent No. 2 are lying in a bank locker, which is jointly operated by the petitioner and respondent No. 2 and petitioner undertakes to appear in the concerned bank on 16.10.2024 at 11.00 AM and both of them, will jointly operate the said locker and the Investigating Officer will prepare the inventory of the gold articles and thereafter, handover the gold articles to respondent No. 2, which belongs to her.

List on 21.10.2024 for further consideration.'

Learned State counsel on instructions from ASI Darshan Singh, submits that on 16.10.2024, the locker in Punjab National Bank was operated by the petitioner and respondent No.2 jointly and 10 gold articles which includes one diamond ring, have been handed over to respondent No.2 and the Investigating Officer has prepared an inventory of the articles handed over to respondent No.2 in compliance of order dated 14.10.2024 passed by this Court. Some of the gold articles have been put back in the locker, with the consent of both the parties, which have been gifted by the petitioner's side.

He further submits that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 25.06.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482 (2) of BNSS/(438 (2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

21.10.2024

Neha

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