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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48637-2023
Date of decision: 12.01.2024

GURPREET SINGHPetitioner

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Sukhveer Kaur, Advocate
for the petitioner.

Ms. Himani Arora, A.A.G., Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition filed by the petitioner under Section 438 Cr.P.C. is for anticipatory bail in the event of arrest of the petitioner in case FIR No.0095 dated 02.08.2023, under Sections 498-A and 406 IPC, registered at Police Station Dera Baba Nanak, District Batala.

2. Counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No.2-wife. Marriage between the petitioner and respondent No.2/complainant was solemnized on 01.07.2020. No child was born out of the said wedlock. In August 2020, respondent No.2 left the matrimonial home out of her own sweet will and three years thereafter, she filed the present FIR on 02.08.2023. She further contends that the allegations levelled in the FIR are false and fabricated as respondent No.2-wife hardly resided in the matrimonial home. It is also contended on behalf of the petitioner that a compromise dated 01.03.2023 (Annexure P-2) has also been entered into between the parties.

3. Counsel for the petitioner further contends that the petitioner had joined the investigation in compliance of the order dated 03.10.2023 passed by this Court.
4. Learned State counsel, on instructions from ASI Afrik Singh, has informed that the petitioner has joined investigation and he is not required for further custodial interrogation. She has filed short reply by way of affidavit of Sh. Maninder Pal Singh, PPS, Deputy Superintendent of Police, Sub-Division Dera Baba Nanak, Police District Batala, on behalf of respondent-State of Punjab and the same is taken on record. In the said reply, it is mentioned that no other case is pending against the petitioner except the present one.
5. The allegations regarding demand of dowry are a matter of trial. In view of the reasons recorded in the order dated 03.10.2023 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 03.10.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.
6. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

12.01.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No