

Sr. No.204

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53612-2023
Date of decision: 15th March, 2024

PARTH TALWAR @ PARTHAPetitioner

versus

STATE OF HARYANARespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Dinesh Maurya, Advocate for
Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.256 dated 15.06.2023, under Sections 498-A, 377, 354, 323, 406, 506 & 34 IPC, 1860, registered at Police Station Sector 13-17, Panipat, District Panipat.
2. Learned counsel for the petitioner *inter alia* contends that the matter has been amicably settled between the petitioner-husband and complainant-wife and quashing petition bearing No.CRM-M-58258-2023 has also been filed, which is pending before the co-ordinate Bench of this Court for 22.05.2024. It is further contended that the petitioner was granted interim bail as per the order dated 20.10.2023, passed by the co-ordinate Bench of this Court. The relevant portion of the said order reads as under:-

“xxx xxx xxx xxx

Learned counsel for the petitioner, inter-alia, contends that the petitioner has been got falsely implicated in the criminal case under reference whereas in fact, he had never ever subjected the complainant-wife to cruelty or unnatural offence, as falsely alleged in the subject FIR and rather, the complainant herself is

a short tempered female who did not want to reside with his (petitioner's) parents and had left her matrimonial home out of her own volition and moreover, the petitioner is ready and willing to join in the investigation as and when required by the Investigating Agency and he is also not involved in any other criminal case.

Notice of motion.

Mr. Apoorv Garg, learned Senior Deputy Advocate General, Haryana, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice and he seeks some time to get proper and complete instructions qua the present matter from the quarter concerned and if deemed necessary, then to file the Status-Report also.

Adjourned to 27.02.2024.

Meanwhile, the petitioner shall join in the investigation on 08.11.2023 at 10:00 AM sharp and if there need be, even thereafter and in the event of his arrest, he shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer and he shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.

xxx xxx xxx xxx”

3. Learned counsel for the petitioner further submits that the petitioner has joined the investigation in compliance of the aforesaid order dated 20.10.2023, passed by the co-ordinate Bench of this Court.

4. Learned counsel appearing on behalf of the respondent-State, on instructions from ASI Seema Devi, confirms that the petitioner has joined investigation and also contends that his further custodial interrogation is not required.

5. In view of the reasons recorded in the order dated 20.10.2023 and keeping in view the fact that the petitioner has joined investigation and his further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 20.10.2023, passed by the co-ordinate Bench of this Court, granting interim bail to the petitioner, is made absolute, subject to the

6. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

7. Liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

8. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

15th March, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>