

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-35467 of 2021 (O&M)
Date of decision : August 31, 2021

Guriqbal Singh

....Petitioner

versus

State of Punjab and another

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Amit Arora, Advocate, for the petitioner
Mr. Hittan Nehra, Addl. AG, Punjab

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Guriqbal Singh who is accused in case FIR No. 154 dated 23.11.2018, under Sections 498-A (offence under Sections 406 IPC added vide DDR No. 22 dated 1.1.2020), Police Station Jhabal, District Tarn Taran, initially filed anticipatory bail application bearing CRM-M-2951-2019 which was disposed of by this Court allowing the concession vide orders dated 6.5.2019. It is

subsequent thereto offence under Section 406 IPC was added leading to filing of the instant second/supplementary bail application by the same accused-petitioner Guriqbal Singh.

Upon hearing counsel for the two sides and perusal of the records, the very allegations embodied in the FIR, there are simplicitor allegations of harassment and cruelty in respect of the dowry and there is no element of allegations that the Istridhan of the complainant wife has been usurped and criminal breach of trust for the same has taken place. The present FIR was initially registered on 23.11.2018 and after almost three years, offence under Section 406 IPC has been come about.

In the light of the admitted stance of the State that the petitioner has earlier joined the investigation and sending him behind the bars at this juncture would be traversity of justice.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioner will be permitted to furnish

regular bail bonds to the satisfaction of the trial Court. Presently, the petitioner is directed to join investigation within 15 days of the receipt of the copy of order.

The present petition stands disposed of.

August 31, 2021
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(Fateh Deep Singh)
Judge

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| <i>Whether speaking/reasoned ?</i> | <i>Yes/No</i> |
| <i>Whether Reportable ?</i> | <i>Yes/No</i> |