

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1198 of 2015 (O&M)

Date of Decision: 24.03.2015.

Jagtar Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sarbjit Singh, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case F.I.R. No. 252 dated 10.12.2014 under sections 326, 323, 34 I.P.C registered at Police Station, Bhikhiwind, District Tarn Taran.

While issuing notice of motion, the following order was passed by this Court on 14.1.2015:-

“The petitioner prays for grant of bail in anticipation of arrest in FIR No. 252 dated 10.12.2014 for offence punishable under Sections 326, 323 read with Section 34 of the Indian Penal Code, registered at Police Station, Bhikhiwind Tarn Taran, District Tarn Taran.

Counsel for the petitioner inter alia contends that there is marital disharmony between daughter of the complainant and son of the petitioner. Prior to the instant FIR lodged by the complainant, FIR No. 68 dated 20.10.2014 was registered at the behest of daughter-in-law of the petitioner for offence punishable under Section 307 read with Section 34 of the Indian Penal Code in Police Station, Khalra, District Tarn Taran on the allegations that the accused forcibly administered pesticide to the complainant. In the said case the petitioner and

his co-accused were allowed benefit of pre arrest bail vide order dated 28.11.2014 which was later affirmed. The alleged injuries sustained by the complainant at the hands of the accused are on hands and the doctor opined that possibility of these injuries with friendly hand cannot be ruled out, as per Annexure P1.

Notice of motion for 24.3.2015.

In the meantime, the petitioner is directed to join investigation within seven days and on his appearance before the arresting/investigating officer, he shall be admitted to bail on his furnishing bail bonds to the satisfaction of the concerned officer subject to the following conditions:-

i) he shall make himself available for interrogation by a police officer as and when required;

(ii) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

(iii) he shall not leave India without previous permission of the Court.”

Learned State counsel upon instructions from ASI Lakhwinder Singh would apprise the Court that the petitioner has since joined the investigation. That apart, the observations made by this Court in the notice of motion order dated 14.1.2015 have also not been rebutted.

Accordingly, the present petition is allowed. Order dated 14.1.2015, passed by this Court is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

March 24, 2015
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