

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.42731 of 2014

Date of Decision:29.01.2015

Jagtar Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR.

**Present: Mr.Karambir Dhaliwal, Advocate,
for the petitioners.**

**Mr.Jaspreet Singh Sekhon, Assistant Advocate General,
Punjab, for the respondent-State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioners(parents-in-law) have preferred the instant petition for the grant of concession of anticipatory bail in a case registered against them along with their son & main accused Sadhu Singh (husband) of complainant-Amarpal Kaur, daughter of Rajinder Singh, vide FIR No.48 dated 21.10.2014, on accusation of having committed the offences punishable under Sections 498-A and 406 IPC, by the police of Police Station Women Cell, Bathinda.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following

order was passed on December 15, 2014 by this Court:-

“Learned counsel, inter alia, contended that the petitioners are parents-in-law and have been falsely implicated in this case by complainant Amarpal Kaur. The argument is that otherwise also very vague and general allegations of cruelty in connection with and on account of demand of dowry are assigned to them.

Heard.

Notice of motion be issued to the respondent, returnable for 13.01.2015.

Meanwhile, the petitioners are directed to join the investigation before the next date of hearing. In the event of their arrest, the Arresting Officer would admit them to bail on their furnishing adequate bail and surety bonds in the sum of Rs.25,000/- each to his satisfaction.”

5. At the very outset, on instructions from HC Mangal Singh, learned State Counsel has acknowledged the factual matrix and submitted that the petitioners have already joined the investigation. They are no longer required for further interrogation, at this stage. There is no history of their previous involvement in any other criminal case. Moreover, all the offences alleged against the accused are triable by the Court of Magistrate. Even, since the prosecution has not yet submitted the final police report(challan) against the accused, so, the conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons, taking into consideration the peculiar facts & the special circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial of the main case, the instant petition for anticipatory bail is accepted. The interim bail already granted to the petitioners, by way of indicated order of this Court, is hereby made absolute, subject to the compliance of

the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the case, in any manner, as the same has been so recorded for a limited purpose of deciding the present petition for pre-arrest bail. At the same time, in case, the petitioners do not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of their bail in this Court.

January 29, 2015
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(**MEHINDER SINGH SULLAR**)
JUDGE