

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.14961 of 2016

Date of Decision:-31.05.2016

Jasvir Bharti.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Amandeep Singh Kansal, Advocate for
Mr. L.S. Sidhu, Advocate for the Petitioner.

Ms. Rimplejit Kaur, Assistant Advocate General, Punjab
assisted by HC Jaswinder Singh.

Mr. Kamaldip Singh Sidhu, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to accused petitioner Jasvir Bharti in case FIR No.71 dated 29.3.2016 registered with Police Station City Rajpura, for offences punishable under Sections 452, 341, 323, 506, 34 Indian Penal Code.

As per allegations of complainant-Sucha Ram, a Home Guard Constable, on 26.3.2016 at around 12.30 pm, petitioner accused forcibly entered the house of the complainant armed with a spade and inflicted a blow on his head which was evaded by the complainant. Petitioner is accused of having illicit relations with the co-accused Shailender Kaur, wife

of complainant.

It is contended that only non-bailable offence is under Section 452 IPC and the petitioner being husband of the Sarpanch of the parental village of Shailender Kaur was called upon to mediate in the marital discord between the complainant and his wife Shailender Kaur. It is a case of version and cross version. Petitioner is alleged to have received three injuries and had remained admitted in PGIMER Chandigarh for almost 11 days while co-accused Shailender Kaur also received injuries at the hands of complainant. On the other hand as per FIR it is a case of no injury on the person of complainant.

Learned Counsel for the petitioner submits that pursuant to the interim order passed by this court petitioner has joined the investigation and cooperated in the same.

Learned State counsel assisted by HC Jaswinder Singh submits that pursuant to the interim order passed by this court petitioner has joined the investigation and is no longer required for custodial interrogation.

Learned Counsel for the complainant has vehemently opposed the anticipatory bail.

In view of the above, interim protection/pre-arrest bail granted vide order dated 03rd of May, 2016 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

May 31, 2016
Vinay