

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

CRM No.M-5255 of 2016 (O&M)

Date of Decision: 05.05.2016

Ram Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Rajinder Sharma, Advocate for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

....

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.118 dated 27.12.2015, under Sections 384/506 IPC, registered at Police Station Kathu Nangal, District Amritsar.

Counsel for the parties have been heard.

It may be briefly noticed that the FIR in question came to be registered at the instance of Amandeep Kaur i.e. Principal of a school in which children of the accused/present petitioner were studying. Allegations in a nutshell are that upon a school leaving certificate having not been issued, the petitioner has issued life threats to the complainant.

On 12.02.2016, while issuing notice of motion, the following order was passed by this Court:

“Counsel would inter alia contend that it is a case of false implication. To substantiate such assertion counsel would advert to a complaint that had been filed by the petitioner under sections 465, 468, 469, 470, 471, 120-B I.P.C against the complainant Smt. Amandeep Kaur and others in the court of Illaqa Magistrate, Amritsar on 7.12.2015. It is argued that

the present F.I.R has been lodged thereafter and is a mere counter blast to such complaint lodged by the petitioner.

Notice of motion, returnable for 05.05.2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Sarabjit Singh would apprise the Court that the petitioner has since joined investigation and there is no recovery that is to be effected from him.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 12.02.2016 passed by this Court is made absolute.

Disposed of.

05.05.2016

shubham

**(TEJINDER SINGH DHINDSA)
JUDGE**