

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CRM-M-14002-2016

Decided on : 25.05.2017

Karan Gaur

..... Petitioner(s)

VERSUS

State of Punjab and another

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Aakash Singla, Advocate, for the petitioner(s).

Mr. Neeraj Yadav, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr. P. C., the petitioner seeks the concession of anticipatory bail in FIR No. 29, dated 02.04.2016, registered under Sections 452, 323, 506 IPC, at Police Station Gidderbaha, District Shri Muktsar Sahib.

As per the allegations in the FIR, the petitioner and the complainant got married about 09 years ago and out of the wedlock one daughter was borne. Thereafter, the petitioner started harassing, beating/thrashing and threatening the complainant.

Seeking anticipatory bail for the petitioner learned counsel submits that the petitioner has falsely been implicated in the case due to the marital relations between the petitioner and the complainant having gone sour; the matter between the parties was compromised in pursuance of which the petitioner had lived up to the terms of such compromise whereas the complainant had backed out from the same and that under interim orders of this Court the petitioner has not only joined investigation, he has fully cooperated with the investigating agency.

Learned State counsel on instructions from ASI Harnek Singh admits that the petitioner has joined investigation; has fully cooperated with the investigating agency and that at this stage the petitioner is not

required for any further questioning.

It is not disputed that the FIR in question has its roots in the matrimonial dispute between the parties; the petitioner has not only joined investigation, he has fully cooperated with the Investigating Agency; nothing is to be recovered from him and as per learned counsel for the State the petitioner is no longer required for any further questioning.

In view of the above, in my opinion, the present petition deserved to be allowed. Resultantly, order dated 27.04.2016, granting interim anticipatory bail to the petitioner subject to the conditions prescribed under Section 438(2) Cr. P. C., requires to be made absolute.

Ordered accordingly.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioner, if he is found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioner.

(Deepak Sibal)
Judge

May 25, 2017
Sunil Devi

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No