

In the High Court of Punjab and Haryana at Chandigarh

CRM M-28121 of 2018 (O&M)
Date of Decision: October 15, 2018

Baldev Singh @ Maggu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. V.K. Sandhir, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. S.S. Majithia, Advocate,
for the complainant.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioner has sought for the following relief:-

“It is therefore respectfully prayed that the petition may kindly be accepted and in the event of the arrest of the petitioner, the petitioner may kindly be released on bail in FIR No. 131, dated 14.06.2018, under Section 380 IPC, Police Station Chheharta, Amritsar, Police Commissionerate, Amritsar, in the interest of justice and equity.

It is further respectfully prayed that during the pendency of this petition, the arrest of the petitioner may also kindly be stayed, or any other relief which this Hon'ble Court deem fit and proper may also be granted.”

2. On 09.07.2018, petitioner had the benefit of interim order to the

extent not to arrest petitioner by the jurisdictional police arising out of FIR No. 131, dated 14.06.2018, registered under Section 380 IPC at Police Station Chheharta, Police Commissionerate, Amritsar.

3. Today, parties are present in the Court. Dispute is among the petitioner's son and contesting respondent-parents. In other words, it is a domestic issue to the extent of petitioner's son harassing his parents when they are living under one roof. Today, petitioner has filed an affidavit dated 15.10.2018 to the extent of giving an amount of Rs.50,000/- to his father – Satnam Singh as an interim measure with reference to FIR No. 131, dated 14.06.2018, so also he has given an undertaking that he would not harass his parents. Affidavit dated 15.10.2018 is taken on record.

4. On the other hand, learned State counsel submitted that there is no necessity of custodial interrogation of petitioner. However, joining him into investigation is necessary as certain facts are yet to be verified. Due to interim protection, there is no progress in investigation.

5. Heard learned counsel for the parties.

6. Petitioner is directed to appear before the investigating officer and join investigation.

7. In view of these facts and circumstance, without expressing any opinion on the merits of the case, order dated 09.07.2018, granting interim protection to the petitioner, is hereby made absolute subject to the condition that he shall appear before the investigating officer as and when called by the investigating officer to join the investigation. Petitioner shall remain bound by the conditions as envisaged in Section 438 (2) Cr.P.C.

8. The petitioner shall not in any way indulge in any criminal activities and he shall not influence the witnesses or otherwise interfere with

the fair trial.

9. Petition stands allowed.

October 15, 2018
vkd

[P.B. Bajanthri]
Judge

Whether speaking / reasoned : Yes

Whether reportable : No