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

CRM-M-23278 of 2019

Date of decision: September 06, 2019

Varun Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Dhawaljeet Dutta, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.102 dated 17.04.2019, under Sections 452, 323, 506, 419, 120-B of Indian Penal Code, 1860 and Section 25 of Arms Act, 1959, registered at Police Station Sadar Amritsar, District Amritsar.

Allegation against the petitioner is that he, armed with weapons, entered the house of the complainant and tried to strangle her.

On 21.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that genesis of the present case is a family dispute and petitioner is ready to join the investigation.

Notice of motion for 01.08.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction.

The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from police official present in Court to assist him has stated that in terms of order dated 21.05.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 21.05.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

September 06, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No