

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

Criminal Misc.-M No.16078 of 2020
Date of Decision: September 29, 2020

Amrit Pal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amandeep Singh Manaise, Advocate,
for the petitioner.

Mr. Ramdeep Partap, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.106 dated 11.06.2020, under Sections 498-A and 406 IPC, 1860, registered at Police Station, City Gurdaspur, District Gurdaspur. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.06.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the marriage between the petitioner and complainant was solemnized on 15.02.2015 and a son was born out of this wedlock. It is pointed out that though the complaint was given against the petitioner and others, however, the FIR was registered against the petitioner alone. He submits that the allegations are general in nature and therefore, the custodial interrogation of

the petitioner may not be necessary. He has placed reliance upon judgment passed by the Hon'ble Supreme Court in “Arnesh Kumar Vs. State of Bihar and another”, 2014 (3) R.C.R (Criminal) 527.

Notice of motion for 29.09.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from SI Harmesh Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.06.2020 is made absolute.

September 29, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No

