

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 16717 of 2020

Date of Decision:14.09.2020

HARDEEP SINGH SIDHU

...Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: None for the petitioner.

Mr.M.S.Nagra, AAG, Punjab.

Mr. A.S.Brar, Advocate
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case No.53 dated 13.06.2020, registered at Police Station Ajitwal, District Moga, under Section 377 IPC.

On 26.06.2020, this Court passed the following order :-

“Case is being taken up for hearing through video conferencing. Through this petition, the petitioner seeks anticipatory bail in case FIR No.53 dated 13.06.2020, registered at Police Station Ajitwal, District Moga, under Section 377 IPC. Learned counsel for the petitioner contends that marriage of the petitioner and complainant-Beant Kaur was solemnized on 2013 and the couple has two minor children. He further contends that it is a matrimonial dispute and the petitioner has earlier moved the

application dated 10.06.2019 (Annexure P-2) against the complainant. Moreover, Surjit Singh, real uncle(Taya) of the complainant is serving in police department as Sub Inspector.

Notice of motion.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG, Punjab, accepts notice on behalf of the respondent-State. At this stage, Mr. Arshdeep Singh Brar, Advocate, has also appeared on behalf of the complainant. Learned State counsel assisted by learned counsel for the complainant points out that there are serious allegations against the petitioner and the present petition is liable to be dismissed. Adjourned to 14.09.2020.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) Cr.P.C. ”.

Learned counsel for the petitioner states that pursuant to the order dated 26.06.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Tarun Pal, states that the petitioner has joined the investigation and challan has also been presented, he is not required for any further investigation.

Mr. A.S. Brar, Advocate for the complainant has not disputed the fact that the challan has been presented.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 26.06.2020 granting

interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

September 14, 2020

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No