

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

CRM-M-17079-2020 (O&M)

Date of decision :27.08.2020

Ram pal and Another

...Petitioners

Vs.

State of Punjab

...Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Bhupinder Ghai, Advocate, for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.47 dated 05.06.2020 under Sections 406 498-A of the Indian Penal Code, 1860 registered at Police Station Kathgarh, Tehsil and District SBS Nagar (Punjab).

On 30.06.2020, the following order was passed:-

“Heard through video conferencing.

This is a petition filed under Section 438 of Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.47 dated 05.06.2020 under Section 406 and 498-A of Indian Penal Code, 1860 registered at Police Station Kathgarh, District SBS Nagar, Punjab.

It is contended by the learned counsel for the petitioners that the son of the petitioners was married to the complainant on 22.09.2018. There is no child out of the wedlock. On 24.05.2019, they

caught the complainant having a WhatsApp chat with a male friend. The screen shots of the same have been annexed as Annexure P-2. The screen shots have been taken between 24.05.2019 and 25.05.2019. It is further contended that, thereafter, they tried to resolve the matter. However, the complainant made a complaint to the Senior Superintendent of Police on 02.06.2020 on the basis of which the present FIR dated 05.06.2020 has been lodged. It is further contended that though allegations regarding dowry and beating have been made in the FIR, however, no specific incidents have been narrated nor any details of any of the allegations made therein have been given.

Notice of motion.

On the asking of the Court, Mr. Pawan Sharda, Sr. DAG, Punjab has joined the session through video conferencing and accepts notice. On instructions from ASI Ram Shah he states that a recovery of two rings is yet to be made from the petitioners.

List the matter on 27.08.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for. However, in the event of arrest, the petitioner shall be released on interim bail on his furnishing adequate bail and surety bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all terms and conditions as laid down under Section 438(2) of Code of Criminal Procedure, 1973.”

Today, learned counsel for the State, on instructions from ASI-Ranjit Singh, has stated that the petitioners have joined investigation on 18.08.2020 and are no longer required for further investigation as of now.

In view of the above, the order dated 30.06.2020 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Petition stands disposed off accordingly.

August 27, 2020
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(ALKA SARIN)
JUDGE

Whether speaking/reasonable: Yes/No.

Whether reportable : Yes/No.