

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

203

CRM-M-30867 of 2019 (O&M)

Date of decision : 13.01.2020

Prince @ Babu Taneja

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present : None for the petitioner.
Mr.Saurabh Khurana, DAG, Punjab.

Gurvinder Singh Gill, J. (Oral)

1. Petitioner has approached this Court seeking grant of anticipatory bail in case, FIR No.90 dated 29.05.2019 registered under Sections 458, 323, 34 of the Indian Penal Code, 1860, registered at Police Station City I, Abohar, District Fazilka (Annexure P-1).

2. The FIR was lodged at the instance of Sonia wherein it has been alleged that on 26.5.2019, her brother-in-law (Devar) namely Prince @ Babu Taneja accompanied by one unknown person came to her house on a motorcycle and forcibly entered into the house and gave a kick blow on her stomach, as a result of which, she fell down and thereafter her brother-in-law and the unknown person dragged her outside in the street and her brother-in-law gave a blow with 'daang' hitting her on her forehead. It is alleged that the other person also gave a kick blow while she was lying down and that her brother-in-law gave yet another blow with 'daang' on her right shoulder. It is further alleged therein that the unknown person also gave a baseball bat blow hitting her on her right bicep.

3. The Learned counsel for the petitioner has informed that a false

FIR has been lodged basically on account of some matrimonial discord between the complainant and her husband. It has further been submitted that even as per the FIR, it is a case of causing of simply injury only.

4. The learned State counsel has informed that upon instructions from ASI Rajpal Singh that that motorcycle in question has already been recovered and that the petitioner has joined investigation and is no longer required for any purpose.

5. In view of the afore-stated position and bearing in mind the nature of allegations, this Court finds that custodial interrogation is not warranted in the present case.

6. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 22.07.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

[GURVINDER SINGH GILL]
JUDGE

13.01.2020
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No