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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.805 of 2021(O&M)

Date of Decision:24.09.2021

Satish Kumar

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Vishnu Dutt, Advocate for
Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.0192 dated 09.07.2020 registered under Sections 452, 323, 506, 34, 379-B IPC at Police Station Salem Tabri, District Ludhiana.

While issuing notice of motion on 08.01.2021, following order was passed by the Co-ordinate Bench:-

“ Case taken up through video conferencing.

Learned counsel for the petitioner inter alia contends that on 02.05.2020 the petitioner had filed a petition under Section 156(3) Cr.P.C. for registering a FIR against the complainant and her family members for having inflicted injuries upon him; on 06.05.2020 the petitioner had filed another petition under Section 26 of

the Hindu Marriage Act, 1955 through which he has claimed custody of his child from the complainant which after notice is pending; as a counter-blast to the afore-referred matters instituted by the petitioner the present FIR was got lodged by the complainant on 09.07.2020 with regard to an incident of 20.06.2020 without explaining therein the delay; no medical evidence is there in support of the complainant's case; there is no other criminal case against the petitioner; the story in the FIR is palpably false as it is alleged therein that the petitioner was pressurising the complainant to withdraw cases filed against him when in fact no case had been filed by the complainant against the petitioner and the petitioner is ready and willing to join the investigation as and when called by the investigating agency.

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.

For arguments, adjourned to 08.04.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C., in the event of his arrest in FIR No.0192 dated 9.7.2020 registered under Sections 452, 323, 506, 34 and 379-B IPC, at Police Station Salem Tabri, District Ludhiana, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

**(Deepak Sibal)
Judge"**

**January 08, 2021
R.S..**

At one point of time, the petitioner did not join the investigation and the same came to the notice of this Court on 09.08.2021 and the petitioner was again directed to join the investigation.

Today, learned State counsel on instructions from HC Swarn Singh submits that the petitioner has joined the investigation and he is no more required for further investigation in the case.

In view of above, the interim order dated 08.01.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

24.09.2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No