

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

CRM-M-4252-2020 (O&M)

Date of Decision: 03.09.2021.

DEVINDER SYAN

.....Petitioner

V/s.

STATE OF PUNJAB AND ANOTHER

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. G.S. Verma, Advocate,
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in a case FIR No.205 dated 19.11.2019, lodged under Sections 313, 376, 120-B of the Indian Penal Code, 1860 registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, Punjab.

Learned counsel for the petitioner submits that it was essentially a matrimonial dispute between the parties which resulted in the registration of the FIR in question. He submits that during investigation, no substance was found in the allegations levelled for attracting the mischief of an offence under Section 376 Cr.P.C. and the same had therefore been deleted. It has been further stated that pursuant to order dated 31.01.2020, passed by this Court, the petitioner has joined investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from ASI Mela Singh, states

that the petitioner is no longer required for further interrogation. It has been

further submitted that as on date only challan in respect of the co-accused has been presented before the trial Court whereas in respect of the petitioner, it is still pending.

In view of the aforesaid, the petition is allowed and interim order dated 31.01.2020, is made absolute subject to the conditions laid down in Section 438(2) Code of Criminal Procedure, 1973.

September 3, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>