

In virtual Court

CRM-M-7603-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7603-2020 (O&M)
Date of decision: 10.09.2021

Kulwinder Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.R. Chaudhary, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.27 dated 21.01.2020 under Sections 406, 323, 341, 506 IPC, registered at Police Station City Barnala, District Barnala.

While granting interim bail to the petitioner, following order was passed by this Court on 27.02.2020: -

“Learned counsel for the petitioner submits that the present FIR has been registered on account of a matrimonial discord between the petitioner-husband and complainant-wife Sandeep Kaur. It is further submitted that the marriage was performed way back in 2007 and out of said wedlock, a son namely Gurmilan Singh was born, who is now aged about 12 years and residing with the petitioner.

Learned counsel further submits that the FIR has been registered just to put pressure on the petitioner and he is ready to explore the possibility of some amicable settlement either by way of rehabilitating his wife or in case she wants to part way, by giving her permanent alimony...”

As per report of the Mediator, no settlement could be arrived at between the parties.

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation and is no more required for further investigation.

Learned State counsel, on instructions from ASI Gurmail Singh, has, however, submitted that during the investigation, Section 498-A IPC has also been added and the petitioner is required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 27.02.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It is made clear that in case the petitioner is required for further investigation, it will be open for the Investigating Officer to join him in the investigation by giving advance notice in writing.

[ARVIND SINGH SANGWAN]
JUDGE

10.09.2021
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No