

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.17430 of 2021 (O&M)

Date of Decision:16.07.2021

(Heard through VC)

Surjit Singh

..Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vaibhav Narang, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Harshit Jain, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.13 dated 10.08.2019 registered under Sections 498-A, 406, 506, 120-B IPC (Sections 376, 354, 511 of IPC added later on) registered at Police Station NRI, Kapurthala, District Kapurthala.

Counsel for the petitioner herein would contend that the petitioner is the father-in-law of the complainant and has been arrested on 17.09.2020 and was released as the challan was not presented within the specified time vide order dated 27.11.2020. It is submitted that it is subsequent thereto that Section 376, 354, 511 of IPC have been added, which would not be applicable upon the petitioner. It is further submitted that having being released on bail and only sections being added

subsequently, his custody would no longer be required.

Counsel for the complainant opposes the grant of anticipatory bail by contending that the petitioner herein after the registration of the FIR under Section 406, 498-A had connived in sending the other accused abroad, who have now been declared as Proclaimed Offenders.

Learned counsel appearing on behalf of the respondent-State on instructions from ASI Surjit Singh submits that the petitioner has joined investigation.

I have heard counsel for the parties and in view of the fact that petitioner has joined the investigation in the newly added sections and has undergone custody under Section 498-A, 406, 506, 120-B IPC, the instant petition is allowed and the order dated 27.04.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

July 16, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No