

201-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36002-2019 (O&M)
Date of Decision: 24.11.2021

Nachattar Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Saurabh Kapoor, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Karanjeet Singh Brar, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.0105 dated 01.06.2019 under Sections 420/120-B IPC, 1860, registered at Police Station Sultanpur Lodhi, District Kapurthala. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 30.08.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that son of the complainant got married with the daughter of the petitioner on 13.12.2017 and the FIR has been lodged on the ground that he had facilitated the visit of the daughter-in-law abroad by spending money. According to him, there is matrimonial dispute and in the given facts the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 10.12.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Balwinder Singh, does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 30.08.2019 is made absolute.

24.11.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No