

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1379-2022
Date of Decision: 20.04.2022

RACHHPAL SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Manpreet Kaur, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

* * *

VIVEK PURI, J. (ORAL)

On 14.01.2022, following order was passed:

“Petitioner is seeking anticipatory bail in case bearing FIR No. 12 dated 08.12.2021 under Sections 406, 498-A IPC, registered at Police Station NRI, District Moga.

Learned counsel for the petitioner contends that the petitioner is father-in-law of the complainant and the allegations qua him are to the effect that he was having dirty eye upon the complainant and was sending her obscene messages. Even at the earlier instance, the complainant had submitted two applications against the family members of her in-laws to the SSP, Moga which were enquired by the Women Cell and were filed. Even in the statement (Annexure P-2), the complainant had stated that she does not want to take any action against on both the applications and the same may be filed.

Notice of motion.

Ms. Monika Jalota, DAG Punjab has put in appearance on behalf of the State.

Adjourned to 20.4.2022.

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 contends that in pursuance
of the interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions of ASI Shamsher Singh has not assailed the aforesaid factual aspect of the case and has further stated that the custodial interrogation of the petitioner is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 14.01.2022 is made absolute.

The petition stands allowed.

20.04.2022

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No