

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

**230**

**CRM-M-18985 of 2022  
Date of decision :21.09.2022**

**Jaswinder Singh alias Bana**

**.....Petitioner**

**VERSUS**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR JUSTICE SUVIR SEHGAL**

Present:- Mr. Bhavesh Aggarwal, Advocate, for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

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**SUVIR SEHGAL, J. (Oral)**

While granting interim protection to the petitioner on 06.05.2022,  
this Court passed the following order:-

*“This petition has been filed under Section 438 of Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in case FIR No.127 dated 02.08.2018, registered under Sections 354, 323, 341,511 of Indian Penal Code, 1860 at Police Station Division 2, District Police Commissionerate Ludhiana.*

*Counsel for the petitioner contends that the FIR, Annexure P-1 has been registered by estranged wife of petitioner's brother on totally false allegations. He submits that the matrimonial dispute of the complainant with his brother was settled and an amount of Rs. 3 Lacs was paid, a petition under Section 13-B of the Hindu Marriage Act, 1955 was filed but subsequently the complainant withdrew her consent and the petition was dismissed vide order dated 07.04.2021, Annexure P-6. Counsel asserts that the complainant had executed affidavit dated 12.02.2019, Annexure P-2, in favour of the petitioner and a cancellation report was submitted by the Investigating Agency but on a protest petition preferred by the complainant, the cancellation report was not accepted by the trial Court vide order dated 28.05.2021, Annexure P-7.*

*Notice of motion.*

*On asking of the Court, Mr. Ajay Pal Singh Gill, AAG, Punjab, accepts notice on behalf of the respondent-State.*

*List on 21.09.2022.*

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

Upon instructions received from ASI Gurpreet Singh, learned State counsel submits that petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 06.05.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

**21.09.2022**  
**anil**

**(SUVIR SEHGAL)**  
**JUDGE**

|                                    |               |
|------------------------------------|---------------|
| <i>Whether speaking/reasoned :</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>          | <i>Yes/No</i> |