

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Proceedings through Video Conferencing)

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CRM-M-31942-2021(O&M)
Date of Decision : 02.02.2022

Jaswant Singh & anr.

..... Petitioner s

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Stanam Preet Singh Chauhan, Advocate,
for the complainant

MANJARI NEHRU KAUL (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.90, dated 23.07.2021 registered under Sections 406, 498A, 323, 506, 34 and 294 IPC, at Police Station Phase 11, District SAS Nagar.

In compliance of order dated 07.12.2021, the State has filed the affidavit dated 25th January, 2022, of Dr. Gurleen Kaur, Medical Officer, PCMS-I, Civil Hospital, Phase-6, SAS Nagar, with respect to the treatment given to the complainant while she remained admitted in the hospital from 21.07.2021 till 27.07.2021.

Learned State counsel, while drawing the attention of this Court to the injuries which have been detailed in the said affidavit, submits that the

injuries, certain tests were carried out including CT scan and ultrasound as well as x-ray, however, the doctor did not find any fracture, much less, any other serious injury during further tests.

Learned counsel for the petitioners submits that the petitioners, who are parents-in-law of the complainant, had joined investigation in compliance of order dated 19.08.2021 and cooperated with the investigating agency. It has been submitted by the counsel for the petitioners that there was a matrimonial dispute between their son and the complainant and it was in that background that the petitioners were falsely implicated in the FIR in-question.

Learned State counsel assisted by Mr. Stanam Preet Singh Chauhan, Advocate, for the complainant, does not dispute the factum of the petitioners having joined investigation. Learned State counsel, on instructions from ASI Prem Chand, submits that the petitioners had cooperated during investigation and hence, they are not required for further investigation.

However, learned counsel for the complainant has opposed the prayer made by the petitioners by reiterating the allegations levelled against them in the FIR in-question.

Since the petitioners have joined the investigation and as per instructions, received by the State counsel, they are not required for further investigation, the petition is allowed and interim order dated 19.08.2021, is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

02.02.2022
monika

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes/No