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

CRM-M-29013-2022 (O&M)

Date of decision : 24.11.2022

Gurdeep Singh

..... Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Dr. Sumati Jund, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. J.S. Mundi, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

CRM-45182-2022

Prayer in the application is for impleadment of the applicants
as respondents No.2 and 3 in the petition.

For the reasons mentioned in the application, applicants are
impleaded as respondents No.2 and 3 in the main petition.

Application stands allowed. Amended memo of parties is
taken on record.

CRM-M-29013-2022

Prayer in the present petition is for grant of anticipatory bail to
the petitioner in case FIR No.22 dated 25.03.2022, under Sections 364,
341, 354 & 34 of the Indian Penal Code (Sections 376-D, 506 IPC added
vide order dated 18.10.2022) at Police Station Sadar Kurali, District SAS
Nagar.

Vide order dated 11.07.2022, while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner has submitted that pursuant to order dated 11.07.2022, petitioner has joined the investigation and as such his interim bail may be made absolute. He has reiterated her contentions that the petitioner and the prosecutrix were duly married, however, thereafter, under the pressure of the family members, she kept on changing her statement under Section 164 Cr.P.C. She submits that in pursuance to order passed by this Court, the petitioner has duly joined investigation. She has further submitted that in order to implicate the petitioner for the heinous offence, offence under Sections 376-D and 506 IPC were added after about seven months.

Learned counsel for the complainant has opposed the submissions made by counsel for the petitioner. He has submitted that though the petitioner and the prosecutrix got engaged, however, same was cancelled by the Panchayat on 20.03.2022. He is disputing the marriage of the petitioner and the prosecutrix as contended by counsel for the petitioner.

Learned State counsel, on instructions, affirmed the fact that the petitioner has joined the investigation and he is no more required for further investigation.

After hearing counsel for the parties and perusing the record, it is apparent that the contentions raised by the counsels are the disputed question of facts which are totally a subject matter of the trial to be appreciated on the basis of the evidence led before it. However, in the facts and circumstances of the case, interim order dated 11.07.2022 is

made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

CRM-45185-2022 filed by the newly added respondents for issuance of direction to the petitioner as well as the State to produce the marriage certificate cannot be answered at this stage as the case is under investigation and the investigating agencies are free to conduct investigation in a fair and proper manner. Present application stands dismissed.

(RAJESH BHARDWAJ)
JUDGE

24.11.2022
m.sharma

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No