

212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27868-2020

Date of Decision: 28.07.2022

KAHAN SINGH AND ANR ... PETITIONERS
VS.
STATE OF PUNJAB AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. H.K.Aurora, Advocate
for the petitioners.

Mr. R.S.Khaira, AAG, Punjab.

Mr. Tarun Singla, Advocate
for respondent No.2/complainant.

VIVEK PURI, J.(ORAL)

The petitioners are seeking anticipatory bail in case bearing
FIR No.20 dated 09.02.2020 under Sections 406 and 498-A IPC registered
at Police Station Bilga, Jalandhar Rural, Jalandhar.

On 08.10.2020, the following order was passed in the
main case:-

“Counsel for the petitioners herein seeks grant of
anticipatory bail in the FIR registered against the petitioners
and their son. It is contended that they are aged parents-in-
law and are ready to settle all disputes. Counsel for the
petitioners herein would rely upon CCTV footage to argue
that the allegations that the complainant was turned out the
matrimonial home are absolutely false as the CCTV footage
would reveal that she voluntarily left the house on her own.

Counsel for the complainant lays emphasis on the
MLR of the complainant to contend that she received
injuries at the hands of the petitioners and her husband, who
has subsequently fled to New Zealand.

Counsel for the respondent-State would submit that
the police does not have a copy of the CCTV footage, as
relied upon by the counsel for the petitioners.

In view of the fact that the petitioners herein are
ready to settle all disputes with the complainant, the parties
are directed to appear before the Mediation and Conciliation
Centre situated at District Courts Jalandhar on 06.11.2020.
Let an effort be made to reconcile the disputes between the
parties.

Adjourned to 11.02.2021.

Meanwhile, the petitioners will join the investigation
within a fortnight. They will also hand over their passports

and pen drive of the CCTV footage to the Investigating Officer. On their doing so, in the event of arrest, the petitioners be released on interim bail subject to their furnishing requisite bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners contend that in pursuance of interim directions issued by this Court, the petitioners, who are father-in-law and mother-in-law of the complainant, have joined the investigation. Furthermore, Kulwant Singh, the son of the petitioners and husband of the complainant, has granted regular bail. The matrimonial dispute has been amicably settled between the parties and a petition bearing CRM-M-30543 of 2022 for quashing of FIR has already been instituted in this Court. Even, the investigation of the case is complete, challan has been presented and CCTV footage as handed over to the police authorities has already been examined.

Learned State counsel, on instructions from ASI Amrik Singh, and learned counsel for the complainant has not disputed the aforesaid factual aspects of the matter. Learned State counsel further submits that the petitioners have joined the investigation and their custodial interrogation is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 08.10.2020, vide which the petitioners have been granted interim bail, is made absolute.

Petition is allowed.

28.07.2022
smriti

(VIVEK PURI)
JUDGE

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