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

CRM-M-44967-2022

Date of decision : 09.11.2022

Gurmeet Ram @ Toti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ashok Kumar Sama, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.194 dated 14.08.2022 registered under Sections 306 and 506 of the Indian Penal Code, 1860 at Police Station City Muktsar, District Sri Muktsar Sahib, Punjab.

On 28.09.2022, this Court had passed the following order:-

*“Inter alia, contends that father of the complainant was a drug addict and used to beat up his wife, namely, Sunita Rani and the said Sunita Rani along with the present petitioner had filed a CRWP-7711-2022 before this Court seeking protection on the ground that they were living in a live-in-relationship. It is further submitted that no act has been committed by the petitioner so as to constitute the offence under Section 306 IPC. In support of his contentions, learned counsel for the petitioner has relied upon the judgment of the Hon'ble Supreme Court in case titled as "**Sonit Rama Krishna Vs. Sonti Shanti Sree**, reported as **2009(1) SCC 554** and a judgment of a Co-ordinate Bench of this Court in case titled as "**State of Punjab Vs. Kamaljit Kaur alias Bholi and another**",*

reported as 2008(2) R.C.R. (Criminal) 562.

Notice of motion for 09.11.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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 petitioner has submitted that in pursuance of the abovesaid order dated 28.09.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Gurmeet Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 28.09.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 28.09.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

09.11.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No