

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

208

CRM-M-49957-2021

Date of decision: 19.04.2022

Gurpal Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab.

SUVIR SEHGAL J. (ORAL)

On 07.12.2021, this Court passed the following order in the main case:-

“ Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.164 dated 10.09.2021, registered for offences under Sections 406, 498-A and 506 of the Indian Penal Code, 1860, at Police Station Machhiwara, Police District Khanna, District Ludhiana (Annexure P-1).

Counsel for the petitioner has referred to affidavit of the petitioner (Annexure P-5), to submit that he has given the details of 13 articles, which are in his possession and will be returned on his joining investigation. Counsel has placed reliance upon interim order dated 27.10.2021 (Annexure P-3), whereby co-accused, Kulwinder Kaur and Harpreet Singh, who are the mother and brother of the petitioner, have been granted interim protection by the learned Additional Sessions Judge, Ludhiana. He submits that the petitioner is ready to join the investigation and co-operate with the Investigating

Agency and return the articles as mentioned in the affidavit (Annexure P-5).

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, AAG, Punjab accepts notice on behalf of the respondent-State. Upon instructions from ASI Sukhwinder Singh, he submits that both the above named co-accused have joined the investigation but some dowry articles are yet to be recovered. As per his instructions, the petitioner, who is the husband of the complainant, is the main accused.

List on 28.03.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called for by the Investigating Officer. 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.”

Learned State counsel on instructions from ASI Parmod Kumar, submits that the petitioner has joined the investigation, recovery has been effected from him and he is no longer required for custodial interrogation.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 07.12.2021 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.

(SUVIR SEHGAL)
JUDGE

19.04.2022
pooja saini