

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

210

CRM-M-52008-2021

Date of Decision:14.09.2022

SATWINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Parneet Singh Baidwan, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

On 27.01.2022, this Court passed the following order:-

“Heard through video conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of anticipatory bail in case FIR No.0149 dated 14.11.2021 registered for offences under Sections 365, 451 and 120-B of the Indian Penal Code, 1860 at Police Station Bhadson, District Patiala, Annexure P-1.

Counsel for the petitioner submits that the petitioner is the cousin of the husband of the complainant. He submits that the complainant has a matrimonial dispute with her husband and the allegation against the petitioner is that he was accompanying her estranged husband, who forcibly took the minor child from the custody of the complainant. Still further, he submits that the minor child was recovered on the same day and the custody was restored to the mother.

State counsel has made a reference to para 9 of the affidavit filed by the Deputy Superintendent of Police, Nabha, District Patiala to submit that the custodial interrogation of the present petitioner is not required and the main accused has already been arrested.

List on 05.04.2022.

Meanwhile, the petitioner shall join the investigation and would come present 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.”

Upon instructions from SI Gurmeet, State counsel 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 above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 27.01.2022 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.

14.09.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No