

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM-M-1267-2023

Date of Decision: 26.07.2023

Harjit Singh and another

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. PKS Phoolka, Advocate for the petitioners.

Ms. Kanica Sachdeva, AAG, Punjab.

NIDHI GUPTA, J. (ORAL)

The petitioners have filed the present petition seeking anticipatory bail in FIR No. 0183 dated 29.12.2001 (Annexure P-1) registered under Sections 498-A and 120-B IPC at Police Station City Batala, District Batala.

On 11.01.2023, this Court had passed the following order:-

“Prayer is for grant of anticipatory bail in case FIR No.0183 dated 29.12.2021, under Sections 498-A and 120-B of the IPC, registered at Police Station City Batala, District Batala.

Counsel for the petitioners contends that the only dispute between the parties is that the complainant-wife wants petitioner No.1 to leave his parents in the village and settle in the city, whereas, he is a man with little means and cannot afford the city livelihood. Moreso, he wants to stay with his parents and the said bone of contention has led to the lodging of FIR. He further contends that as per the inquiry conducted by the DSP Special Branch, Batala holding the additional charge of crime against women, it has come on record that there was no proof of any caste related words attributed to the complainant. He contends that the only allegation is that the petitioner No.2 being father and son demanded big car and furniture.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab, accepts notice on behalf of the State.

In the meanwhile, the petitioners shall join investigation on 13.01.2023 at 10.00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioners be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioners shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 14.03.2023”

Learned State counsel, on instructions from ASI Rashpal Singh states that in terms of the order passed by this Court, reproduced above, the petitioners have joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 11.01.2023 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join the investigation and cooperate with the investigating agency in case they are required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioners are required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

26.07.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No