

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

201

CRM-M No.1985 of 2023

Date of Decision : 05.10.2023

Gagandeep Singh alias Lovepreet Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Barjesh Kumar Sharma, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.115 dated 03.08.2022 under Sections 354 and 120-B of the Indian Penal Code, 1860 registered at Police Station Dhanoula, District Barnala.

2. On 18.05.2023 the following order was passed :

“This petition has been filed seeking grant of pre-arrest bail in case FIR No.115 dated 03.08.2022, registered under Sections 354 and 120-B of IPC at Police Station Dhanoula, District Barnala.

2. Learned counsel for the petitioner contends that the petitioner has been implicated in the case on account of family disputes with a neighbour Sandeep Kaur, who is habitual of filing false complaints. Earlier also, she

filed an FIR No.38 dated 28.03.2022, under Sections 354-A, 506 of IPC, Sections 67 and 67-A of I.T.Act, at Police Sation Dhanaula, District Barnala, levelling similar allegations against the village Sarpanch. The instant FIR has also been got registered by her. It is further submitted that on a complaint being made by petitioner's father, an FIR No.33 dated 21.02.2023, under Sections 452, 354, 323, 109, 147 and 149 IPC, pertaining to the same incident has been registered at Police Station Dhanaula, District Barnala, against said Sandeep Kaur and another accused, on the ground that they instigated the victim to lodge complaint against the petitioner leading to registration of the instant FIR. The allegations against the petitioner are false, and do not constitute the offences alleged.

3. *Learned State counsel, who appears on advance notice, has filed status report in the case, which is taken on record. The fact of lodging the FIRs as mentioned by the learned counsel for the petitioner is not disputed by him.*

4. *Notice of motion for 05.10.2023.*

5. *In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest, he shall be released on interim bail to the satisfaction of*

Arresting Officer. The petitioner shall also abide by the conditions of Section 438 (2) Cr.P.C.”

3. Learned counsel for the petitioner states that the petitioner has since joined the investigation and fully cooperated.
4. Learned counsel for the State on instructions from ASI Avtar has stated that the petitioner has since joined investigation and fully cooperated and that he is no longer required for further custodial interrogation as of now.
5. In view of the above, the order dated 18.05.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.
6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

05.10.2023
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO