

2023:PHHC:084191

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

CRM-M-10101-2023

Date of Decision: 05.07.2023

**PAWAN KUMAR @ PAWAN MAHAJAN ... PETITIONER
VS.**

STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Ketan Chopra, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. On 27.02.2023, the following order was passed by the
Coordinate Bench of this Court:-

“This is a petition for grant of pre-arrest bail to the petitioner in case FIR No.291 dated 29.11.2022 under Sections 346, 364, 120-B IPC registered at Police Station, Division A, District Police Commissionerate Amritsar.

The FIR in question was lodged on the allegations that complainant's sister was not traceable and an apprehension was expressed by the complainant against her sister's father-in-law (petitioner herein) and his son.

Learned counsel for the petitioner contends that the allegations are false and have been levelled only on baseless apprehension. Besides, the complainant's sister has now been recovered.

Learned State counsel, on instructions from SI Narinder Kumar, does not dispute the fact. He further states that she has been recovered on 25.02.2023 from village Banota (Himachal Pradesh) and was alone. Her statement under Section 164 Cr.PC has also been recorded stating that she left home on her own.

Notice of motion.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 05.07.2023.

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.”

2. Learned counsel for the petitioner contends that in pursuance of
interim directions issued by this Court, the petitioner has joined the
investigation.

3. Learned State counsel, on instructions from SI Narinder Kumar, has not disputed the aforesaid factual aspect and further submits that custodial interrogation of the petitioner is not required.
4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 27.02.2023, vide which the petitioner has been granted interim bail, is made absolute.
5. Petition is allowed.

05.07.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No