

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**209****CRM-M No.11427 of 2023****Date of Decision : 14.12.2023**

Jai Gopal Sachdeva and Another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. Harjinder Singh Sidhu, AAG Punjab.

Mr. Onkar Rai, Advocate for the complainant.

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 petitioners in FIR No.17 dated 08.02.2023 registered under Sections 452, 379, 380, 354, 506 and 120-B of the Indian Penal Code, 1860 at Police Station Bilga, District Jalandhar.

2. On 03.03.2023 the following order was passed :

“The petitioners - Jai Gopal Sachdeva and Tarun Kumar have filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.17 dated 08.02.2023, under Sections 452, 379, 380, 354, 506, 120-B of IPC, Police Station Bilga, District Jalandhar.

It is argued that there is history of long litigation between the husband of the complainant and the present

petitioners. Prior to this, they were involved in another FIR No. 97 dated 17.11.2021, under Sections 354, 452, 506, 34 of IPC and Section 8 of POCSO Act, Police Station Bilga in which they were granted the relief of anticipatory bail. Copy of order dated 28.01.2022 is Annexure P-8. The previous compromise arrived at between the parties are Annexure P-2 and P-3. Apart from this, there are number of complaints, filed by Tarun Kumar against Jagroop Singh and Gurbinder Kaur under Section 138 of Negotiable Instruments Act, which is Annexure P-7. Due to the aforesaid enmity, they are falsely implicated in this case.

Notice of motion.

On the asking of this Court, Mr. M.S. Joshi, Addl. A.G. Punjab accepts notice on behalf of the State.

I have gone through the aforesaid documents showing the earlier litigation already going on between the petitioners as well as husband of the complainant. The present petitioners are ready to join the investigation. Considering these facts, the arrest of the petitioners is stayed till next date, subject to the joining of investigation.

Adjourned to 04.05.2023.

Status report be filed by the respondent - State by the adjourned date.”

3. Learned counsel for the petitioners states that the petitioners

have since joined investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Satpal Lal has stated that the petitioners have since joined investigation and fully cooperated. Infact a cancellation report has been prepared in the present case. It has further been stated that the petitioners are no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 03.03.2023 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners 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.

(ALKA SARIN)
JUDGE

14.12.2023

jk

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