

CRM-M-17081-2023

-1-

2023:PHHC:091799

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

211

CRM-M-17081-2023

Date of Decision: 20.07.2023

Boota Singh

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. A.P. Kaushal, Advocate for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

NIDHI GUPTA, J. (ORAL)

Status report dated 11.07.2023, filed by way of affidavit of Sh. Hardeep Singh, PPS, Deputy Superintendent of Police (CAW&C), Ludhiana (Rrural) on behalf of respondents No. 1 & 2, is taken on record.

The petitioner is seeking anticipatory bail in FIR No. 24 dated 07.12.2021 registered under Sections 406 and 498-A IPC at Police Station Women, Ludhiana, District Ludhiana.

On 12.04.2023, this Court had passed the following order :-

“Boota Singh has filed anticipatory bail petition under Section 438 Cr.P.C. in FIR No. 24 dated 07.12.2021 under Section 406, 498-A of IPC, registered at Police Station Women, Ludhiana, District Ludhiana.

It is argued by learned counsel for the petitioner that the marriage took place about 14 years ago and due to temperamental differences between husband and wife, the present FIR has been registered. He even visited the police station to join the investigation but he was not allowed to join the investigation. He is still ready to join the investigation.

Notice of motion.

On the asking of this Court, Mr. Kunwarbir Singh, Assistant A.G. Punjab accepts notice on behalf of the State.

Learned counsel representing the State pointed out that dowry articles are yet to be recovered. Considering the fact that the petitioner is ready to join the investigation and cooperate, his arrest is stayed till next date, subject to the joining of investigation.

Adjourned to 25.05.2023.

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

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

In view of the above, the order dated 12.04.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is 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 petitioner is 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.

20.07.2023

rishu

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No