

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 247

CRM-M-20445-2022

Date of decision : 27.01.2023

Prince

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.37 dated 22.04.2022 registered under Sections 323 and 498-A IPC at Police Station Khamanon, District Fatehgarh Sahib.

On 18.05.2022 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case due to a matrimonial discord between the petitioner and the complainant; the petitioner does not face any other criminal case; the FIR in question was lodged after an unexplained delay of 01 month; the allegations against the petitioner with regard to him having caused miscarriage are absolutely false with no medical opinion to back the same; the allegations of cruelty and beatings are also false/motivated; in the initial complaint filed by the complainant, she had not complained of any miscarriage having been caused by the petitioner showing falsity in the claim made later and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms. Gunkirat Kaur, AAG, Punjab, accepts notice on behalf of the respondent-State and prays for time to argue the matter.

Adjourned to 25.08.2022.

Till the adjourned date, the petitioner's arrest is stayed.

Before the adjourned date, the State shall file a status report.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, subject to the petitioner's abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 18.05.2022, staying the petitioner's arrest is ordered to be made absolute.

27.01.2023

shamsher

Whether speaking/reasoned

Whether reportable

:

:

[DEEPAK SIBAL]

JUDGE

Yes / No

Yes / No