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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25485-2023 (O&M)
Date of decision : 02.08.2023

Bariam Singh @ Baryam Singh & Anr. ... Petitioner(s)

Versus

State of Punjab ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Anil Kumar Garg, Advocate and
Mr. Humaid Khan, Advocate for the petitioners.

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.0031 dated 04.05.2023 under Sections 498-A, 406, 120-B of Indian Penal Code, 1860 (IPC) registered at Police Station Kahnuwan, District Gurdaspur.

2. On 19.05.2023 the following order was passed :

“Bariam Singh @ Baryam Singh and Champa Devi @ Champa Rani has filed petition under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.0031 dated 04.05.2023 under Sections 498-A, 406, 120-B of I.P.C. registered at Police Station Kahnuwan, District Gurdaspur. It is argued that all the allegations

levelled against them are false. The complainant is married with their son, who is serving in Army. Even the complainant is residing in her parental house. The petitioner No.1 has undergone bypass surgery about two years ago. The allegations levelled against them are without any basis. They are 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.

Considering the aforesaid facts, the arrest of the petitioners is stayed till next date, subject to the joining of investigation.

Adjourned to 02.08.2023.

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

3. Learned counsel for the petitioners would contend that pursuant to the said order, the petitioners have joined investigation and have fully co-operated.

4. Learned counsel for the State, on instructions from ASI Palwinder Singh, has stated that the petitioners have since joined investigation and have fully co-operated and that they are no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 19.05.2023 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

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specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

02.08.2023

Yogesh Sharma

(ALKA SARIN)
JUDGE

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