

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

214

**CRM-M-25912-2023 (O&M)
Date of Decision: 04.12.2023**

Tarsem

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

Mr. Tarun Sharma, Advocate for the complainant.

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 petitioner in FIR No.182 dated 27.11.2022 registered under Sections 376(2)(n) & 506 of the Indian Penal Code, 1860 at Police Station Lalru, District Mohali.

2. On 07.07.2023 the following order was passed :

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.182 dated 27.11.2022 registered under Sections 376(2)(n) and 506 of the Indian Penal Code, 1860 at Police Station Lalru, District Mohali.

Status-report has since been filed.

Learned counsel for the petitioner would contend that the petitioner has been implicated in a false case and that the complainant is a 33 years old woman who was earlier married and even during the subsistence of her earlier marriage had lodged FIR No.0052 dated 14.06.2019 at Women Police Station Kurukshetra under Sections 67-A, 120-B, 328, 354-D, 376-D and 452 IPC against her in-laws. She had even implicated the ladies. Another FIR was registered against the complainant bearing FIR No.139 dated 07.05.2021 under Sections 323, 452, 506 of IPC and Section 3 of the SC & ST Act, 1989. Learned counsel would further contend that the petitioner was in consensual relationship with the complainant and the complainant owed him some money.

Learned State counsel on instructions from ASI Baljit Singh states that though there were three FIRs against the petitioner, however, he stands acquitted in all three cases.

List on 25.09.2023.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall

also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner would contend that pursuant to the said order the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Baljinder Singh has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 07.07.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner 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.

04.12.2023
Deepak Patwal

(ALKA SARIN)
JUDGE

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