

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

204

Criminal Misc. No. M-27496 of 2023

Date of decision :-12.10.2023

Vishal alias Vishal Jassal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Anil Kumar Spehia, Advocate
for the petitioner.

Mr. Jaswinder Singh Arora, DAG, Punjab
Assisted by ASI Harbans Singh.

Ms. Shazia K. Singh, Advocate
For the complainant.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.0042 dated 07.4.2023, under Sections 346 and 380 IPC read with Section 34 IPC, registered at Police Station Maqsudan, District Jalandhar Rural.

On 29.5.2023, Co-ordinate Bench of this Court had passed the following order :-

“This is a petition under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in FIR No. 0042 dated 07.04.2023, under Sections 346, 380 and 34 of the IPC, 1860, registered at Police Station Magsudan District Jalandhar Rural.

Learned counsel for the petitioner contends that the petitioner and the complainant's daughter, who is major, married on 05.04.2023, and the two filed a criminal writ petition, CRWP No.3320 of 2023, before this Court seeking protection of their life and liberty as they apprehended threat from the complainant and his family members. The petition was disposed of vide order dated 11.04.2023 (Annexure P-2) by issuing appropriate directions to the authorities concerned. The allegations have been falsely levelled by the complainant, since he is not happy with his daughter's relationship with the petitioner.

Learned counsel appearing for the complainant on advance notice submits that the complainant's daughter while running away from home had taken aadhar cards, three passports, two sale deeds of a flat, PAN card etc. as mentioned in the FIR. The documents are in possession of the petitioner.

This is denied by learned counsel for the petitioner. He, however, submits, in case the said documents are found to be in possession of the petitioner's wife, the same shall be returned.

Notice of motion.

Mr. Jashandeep Singh, AAG, Punjab, accepts notice on behalf of respondent-State.

Adjourned to 12.10.2023.

In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest, he shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438 (2) Cr.P.C. ”

Learned State counsel, on instructions from ASI Harbans Lal 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 29.5.2023 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.

October 12, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No