

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

CRM-M-32698-2022

Date of Decision: 07.08.2023

Wasim Akhtar

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Imran Farooqi, Advocate for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

NIDHI GUPTA, J. (ORAL)

The petitioner is seeking anticipatory bail in case FIR No. 0091 dated 02.06.2022 registered under Sections 498-A and 323 IPC at Police Station City-II Malerkotla, District Malerkotla.

On 28.07.2022, this Court had passed the following order :-

“Instant petition has been filed under Section 438, Cr.P.C. for grant of anticipatory bail in FIR No.0091 dated 02.06.2022, registered for offences under Sections 498-A and 323, IPC, at Police Station City-II, Malerkotla, District Malerkotla (Annexure P-1).

Counsel for the petitioner urges that Section 406, IPC, has not been invoked by the Investigating Agency and no recovery is to be effected from him.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of State-respondent No.1. Upon instructions from ASI, Jaspal Singh, he submits that there are specific allegations of entrustment of dowry and as and when list of articles is given by the complainant, further action will be taken.

List on 18.01.2023.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating

Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 28.07.2022 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Pawan Kumar, 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 28.07.2022 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.

07.08.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No