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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33999-2023 (O&M)
Date of decision : 15.11.2023

Palwinder Singh ... Petitioner(s)

Versus

State of Punjab ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Raghav Soni, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, 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 petitioner in FIR No.55 dated 23.06.2023 under Sections 498-A and 406 of the Indian Penal Code, 1860 (IPC) registered at Police Station Fatehgarh Churian, District Gurdaspur (Annexure P-1).

2. On 17.07.2023 the following order was passed :

“The petitioner herein seeks the relief of pre-arrest/anticipatory bail in the criminal case arisen out of the FIR bearing No.55 dated 23.06.2023 registered at Police Station Fatehgarh Churian, District Gurdaspur, under Sections 498-A and 406 IPC.

Learned counsel for the petitioner, inter-alia, contends

that the petitioner has been got falsely implicated in this case due to the matrimonial discord between him (petitioner) and the complainant-wife from the very beginning of their martial life and the petitioner made several attempts to resolve their differences but in vain and that he is ready to join in the investigation as and when so required by the Investigating Agency and moreover, he is also not involved in any other criminal case of the similar nature.

Notice of motion.

Mr. Kunwarbir Singh, learned Assistant Advocate General, Punjab, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice and he seeks time to get proper and complete instructions qua the present matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 15.11.2023.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal as well as surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

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 Nirmal 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 17.07.2023 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.

15.11.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

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