

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-32055 of 2019

Date of Decision: 16.1.2023

Kulwant Singh

---Petitioner

versus

State of Punjab

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Sukhjit Singh, Advocate
for the petitioner

Mr. Amish Sharma, AAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

On 24.8.2022, following order was passed:-

“Counsel for the petitioner submits that CWP-13791-2019 filed jointly by the petitioner and his wife, is pending before this Court for 05.09.2022.

List on 16.01.2023.

Meanwhile, the petitioner shall join the investigation on 30.08.2022 at Police Station Sadar Jagraon, District Ludhiana at 11.00 am and co-operate with the Investigating Agency. In the event of arrest, he will be released on interim bail on his furnishing personal and surety bonds to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner inter alia contends that petitioner is father-in-law of the complainant and mother-in-law of the complainant has already been granted bail. The son of the petitioner is staying out of the country and it was a love marriage. The petitioner is facing this painful litigation just because he is father of a child who is staying out of country and got married with the complainant. Learned counsel further submits that petitioner has already joined investigation and the petitioner has nothing to return in the name of dowry articles.

Learned counsel for the complainant submits that petitioner has thrown the complainant out of house and she has no place to stay, thus, she is homeless.

Learned State counsel, on instructions from ASI Anwar Masih, states that petitioner in compliance of order dated 24.8.2022 of this Court, has already joined investigation on 29.8.2022.

On being confronted with the statement of learned counsel for the complainant, learned counsel for the petitioner submits that it is factually incorrect that complainant is homeless because complainant is out of country for the last more than 2½ years.

Keeping in view that the petitioner has joined investigation and the complainant is residing out of country for last more than 2½ years, the petition is allowed and the interim bail granted to the petitioner vide order dated 24.8.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would

be at liberty to move an application for cancellation of bail granted by this order.

(JAGMOHAN BANSAL)
JUDGE

16.1.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No