

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

215

CRM-M-37564-2023 (O&M)

Date of Decision : 21.11.2023

Sukhchain Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Nitish, Advocate for
Mr. Kuldip Singh, Advocate for the petitioner.

Mr. M.S. Tiwana, 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.100 dated 17.05.2021 under Sections 363, 366-A of the Indian Penal Code, 1860, registered at Police Station City-1 Abohar, District Fazilka.

2. On 03.08.2023 the following order was passed :

“Learned counsel for the petitioner would contend that the FIR was got lodged by the mother of the alleged victim, who is none other than the wife of the petitioner. The learned counsel would further contend that the victim and the petitioner had got married on 17.05.2021 and have been living happily thereafter and even in her statement under Section 164 CrPC the victim has stated that she had gone with the petitioner on her own accord.

The counsel has further pointed out that an application had also been given by the alleged victim to the SSP, Fazilka stating that a false case has been got registered by her family against her husband i.e. the petitioner herein and his family members and that she was willing to get her statement recorded but the police did not record the statement. It was further prayed in the application that the FIR be cancelled.

Notice of motion.

Mr. M.S. Tiwana, AAG Punjab accepts notice on behalf of the respondent-State of Punjab.

List on 21.11.2023.

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 SI Jaswinder 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 03.08.2023 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.

21.11.2023
Deepak Patwal

(ALKA SARIN)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No