

210-A

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40069-2023 (O&M)
Date of Decision: 30.10.2023

GUFRAN

.... Petitioner

VERSUS

STATE OF PUNJAB & ANR.

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Naveen Batra, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab-respondent No.1.

Ms. Poorvi Sabharwal, Advocate for
Mr. A.S. Tagra, Advocate for respondent No.2.

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.114 dated 08.04.2023 under Sections 323, 498-A, 406, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station City Kharar, District SAS Nagar (Mohali).

2. On 17.08.2023 the following order was passed :

“This is the first petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.114 dated 08.04.2023 under Sections 323, 498-A, 406, 506, 148,

149 of the Indian Penal Code, 1860 registered at Police Station City Kharar, District SAS Nagar.

Learned counsel for the petitioner would contend that the dispute is between husband and wife due to the interference of the mother of the complainant. The petitioner herein is the father-in-law, who is residing in Sector 56, Chandigarh whereas the couple is residing in Kharar. It is further the contention that the only allegation against the petitioner is that he had threatened the complainant during her pregnancy and also subsequently. The learned counsel has referred to the order dated 10.08.2023 passed by this Court in the case of sons of the petitioner in CRM-M-39095-2023 granting interim anticipatory bail. It is further contended that the allegations made against the present petitioner are similar to those made against the petitioners in CRM-M-39095-2023.

Notice of motion.

Mr. Adhiraj Singh, AAG Punjab accepts notice on behalf of respondent No.1-State of Punjab while Mr. Gurbir Singh Sidhu, Advocate has accepted notice on behalf of respondent No.2.

List on 30.10.2023 along with CRM-M-39095-2023.

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 ASI Bhupinder 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 17.08.2023 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.

30.10.2023

Aman Jain

(ALKA SARIN)
JUDGE

NOTE:

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