

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.40743 of 2023

Date of Decision : 22.11.2023

Kuldeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Lokesh Vohra, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.114 dated 24.07.2023 under Sections 323, 354-B and 149 of the Indian Penal Code, 1860 registered at Police Station Sadar Ferozepur District Ferozepur.

2. On 21.08.2023 the following order was passed :

“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 24.07.2023 under Sections 323, 354-B, 149 of the Indian Penal Code, 1860 registered at Police Station Sadar Ferozepur, District Ferozepur.

The learned counsel for the petitioner would contend that the allegation against the petitioner is that during a scuffle which took place between the family

members and where the complainant was beaten up by the family members, the petitioner who is the brother-in-law (Jeth) of the complainant, had touched her inappropriately. The learned counsel would further contend that the story set up is highly improbable in as much as even as per the allegations in the FIR there were many people present at the time of the alleged incident. It is further contended that no injury has been attributed to the petitioner. It is further the contention that the petitioner has falsely been roped in.

Notice of motion.

Mr. Adhiraj Singh, AAG Punjab accepts notice on behalf of respondent No.-State of Punjab and seeks some time to get his instructions.

List on 22.11.2023.

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 states that the petitioner has since joined investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Jaspal

Singh has stated that the petitioner has since joined investigation and 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 21.08.2023 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.

(ALKA SARIN)
JUDGE

22.11.2023
jk

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