

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-51707-2021

Date of Decision: 22.02.2023

Devender Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Naveen Bawa, Advocate for the petitioner

Mr. Amish Sharma, AAG, Punjab
(assisted by ASI Suresh)

Ms. Neetu Singh Aashat, Advocate for the complainant

JAGMOHAN BANSAL, J. (ORAL)

On 13.12.2021, the following order was passed:-

“Counsel for the petitioner submits that the marriage of the petitioner with the complainant was solemnized 31.05.2020 and since October, 2020, she is staying at her parental house after having deserted the petitioner. Counsel submits that FIR has been registered on the basis of an incident which is alleged to have taken place on 14.02.2021, when the petitioner along with his friends and relatives went to get her back. Counsel submits that no specific allegation has been levelled against the petitioner. He has instructions to state that the petitioner is willing to rehabilitate the complainant.

Notice of motion for 18.03.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called for by the Investigating Officer and in the even of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C”

Learned State counsel, on instructions from ASI Suresh, submits that the petitioner has already joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 13.12.2021 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.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

22.02.2023

Mohit Kumar

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*