

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

211

CRM-M-48334-2022

Date of Decision: 20.01.2023

Parveen Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. Amish Sharma, AAG, Punjab

(assisted by ASI Surjeet Singh)

JAGMOHAN BANSAL, J. (Oral)

On 18.10.2022, the following order was passed:-

“ Petitioner is seeking anticipatory bail in case bearing FIR No.43 dated 14.05.2022 under Sections 323, 354, 451, 506, 34 IPC, registered at Police Station City Morinda, District Rupnagar.

Briefly, as per the allegations, on 13.05.2022 the petitioner along with his son Arya Verma and wife Neha Verma forcibly entered the shop of the complainant, outraged her modesty and inflicted injuries upon her person and also upon her husband. The petitioner had also taken a sum of Rs. 5000/- from the drawer and confined the complainant and her husband in the shop by pulling down the shutter.

Learned counsel for the petitioner contends that the wife of the petitioner is the sister of the husband of the complainant. They are having property dispute and civil suit between them is pending. The FIR has been lodged on the

basis of false allegation and it is a case of version and crossversion. The petitioner had sustained the injuries and suffered fracture. Furthermore, the co-accused have been granted pre-arrest bail by the Court of Sessions.

Notice of motion.

Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State.

Adjourned to 20.01.2023.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event 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 Surjeet Singh, submits that petitioner has 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 18.10.2022 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.

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

20.01.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>