

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

Sr. No.201(1)

CRM-M No. 48649 of 2022

Date of decision : 31.01.2023

Imdad Khan

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. B.S. Aulakh, Advocate for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 87 dated 05.08.2021 registered under Sections 323, 341, 506 and 34 IPC (Section 498-A IPC added later on) at Police Station Sadar Ahmedgarh, District Malerkotla.

On 09.11.2022, this Court had passed the following order : -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of matrimonial discord between the complainant and the petitioner's son; the petitioner has no other criminal antecedents; the allegations with regard to the petitioner having grabbed the complainant's collar and dragged her out of the house are false and in any case vague and unsubstantiated; similarly placed co-accused, who is the wife of the petitioner and also his two daughters who had earlier approached this Court through CRM-M-44418-2022 – Sharmina vs. State of Punjab and another and CRM-M-44913-2022 – Anjum and another vs. State of Punjab and another have been granted interim anticipatory bail; no recovery is required to be made from the petitioner and that the petitioner is also ready and willing to join and cooperate with the investigation as and when called by the investigating agency.

Notice of motion.

Mr. Teevar Sharma, A.A.G. Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 31.01.2023.

To be heard along with CRM-M-44418-2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.87, dated 05.08.2021, registered under Sections 323, 341, 498-A, 506 and 34 IPC at Police Station Sadar Ahmedgarh, District Malerkotla, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioner abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 09.11.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

31.01.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No