

205-a IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:105991
CRM-M-51861-2022
Date of Decision: August 17, 2023

Parveen Kaushal ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. R.S. Khaira, DAG, Punjab.

Mr. A.S. Jattana, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

On 11.11.2022, following order was passed by this Court:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.139 dated 12.10.2022 registered under Sections 323, 342, 452, 506, 148, 149, 325 (added later on) of IPC at Police Station Nangal, District Rupnagar.

Counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the present case at the instance of complainant-Kamaldev who is a retired police inspector; that there is also a cross version, as per which, the complainant party caused injuries to Rohan Sharma and Shama Rani who were medico legally examined vide Annexures P-3 and P-4. He further submits that no offence under Section 452 IPC is made out as the occurrence took outside the residential house of the complainant and all other offences are bailable one and further no specific injury has been attributed to the petitioner who is ready to join the investigation.

Notice of motion.

Mr. C.L.Pawar, Addl. AG, Punjab accepts notice on behalf of the State and on instructions from ASI Pritam Singh has not disputed the fact that against the allegations made in the present FIR, there is also cross version regarding which DDR (Annexure P-2) was registered.

Now be listed on 24.2.2023.

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In view of above as the present case involves version as well as cross version, so, in case of arrest, the petitioner is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner should join the investigation with the police well in time before the next date of hearing and is to abide by the conditions as envisaged under Section 438(2) of Cr.P.C.

On the last date of hearing i.e. on 24.05.2023, it was informed by learned State counsel that the petitioner had joined the investigation and was no longer required for further investigation. However, counsel for the complainant sought time to argue the matter.

It is contended learned counsel for the complainant that the petitioner is still threatening the complainant. However, he agrees that he will pursue remedy, in case any threat is given by the petitioner.

In view of the above, the order dated 11.11.2022 is hereby made absolute. However, the petitioner shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

August 17, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No