



Sr. No.207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-539-2024
Date of decision: 19th September 2024

GURDEEP SINGH AND ANRPetitioners

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. M.K. Dhot, Advocate
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973, for grant of anticipatory bail to the petitioners in case FIR No.127 dated 10.12.2023, under Sections 363, 366-A read with Section 34 IPC, 1860, registered at Police Station Arniwala, District Fazilka (Annexure P-1).
2. On 19.04.2024, following order was passed by this Court while granting interim bail to the petitioners:-

“xxx xxx xxx xxx

2. *Learned counsel for the petitioners inter alia contends that petitioner No.1-Gurdeep Singh is the step-father of Karandeep Singh and he along with his wife-petitioner No.2-Shamandeep Kaur @ Shabnam @ Deva are separately residing in District Fazilka. Whereas Karandeep Singh, who is the main accused is residing in District Sri Muktsar Sahib. Copy of the Aadhar Card of Karandeep Singh has already been supplied by him in Court.*

3. *He further contends that Karandeep Singh, son of the petitioners have solemnized marriage with the prosecutrix on 04.04.2024. A photocopy of the marriage certificate and photographs have been*



supplied in Court today. The same are taken on record as Mark-A and Mark-B. It is also contended that the prosecutrix turned major on 03.04.2024.

4. *Notice of motion.*

5. *On advance notice, Ms. Himani Arora, A.A.G., Punjab, appears on behalf of the respondent-State and seeks time to file reply.*

6. *However, she upon instructions from ASI Ravi Kant, has verified that the address in the Aadhar card of Karandeep Singh is correct, i.e. District Sri Muktsar Sahib. However, this is disputed that the co-accused Karandeep Singh is not residing with the present petitioners.*

7. *Adjourned to 18.07.2024.*

8. *In the meanwhile, the petitioner is directed to join investigation within ten days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to his furnishing bail bonds and surety bonds, and also subject to the following conditions:-*

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.”

3. Learned counsel for the petitioners contends that the petitioners have joined investigation in compliance of the aforesaid order dated 19.04.2024.

4. Learned State counsel confirms that the petitioners have joined investigation and also contends that their further custodial interrogation is not



5. Keeping in view the fact that the petitioners have joined investigation and their further custodial interrogation is not required by the Investigating Agency and also in view of the reasons recorded in the order dated 19.04.2024, the present petition is allowed and the order dated 19.04.2024, granting interim bail to the petitioners is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.
6. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
7. However, liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioners violate any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.
8. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

19th September 2024
simran

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