



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-789-2024 (O&M)
Date of Decision: 28.05.2024

RASHPAL SINGH @ RACHHPAL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Ms. Samridhi Sareen, Advocate
for the petitioner (through video conferencing).

Ms. Sakshi Bakshi, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.0057 dated 08.04.2023 registered under Sections 498-A, 406 IPC at Police Station Sadar Fazilka, District Fazilka.
2. Status report by way of an affidavit of Shubeg Singh, PPS, Deputy Superintendent of Police, Sub Division Fazilka, District Fazilka has already been filed on behalf of the respondent-State, which is taken on record.
3. Learned counsel for the petitioner *inter alia* contends that the present FIR was registered due to a matrimonial dispute between the parties.

She further contends that the petitioner had joined the investigation in



pursuance to the order dated 09.01.2024 passed by this Court.

4. On 09.01.2024, this Court passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 0057 dated, 08.04.2023, registered at Police Station Sadar, District Fazilka, under Sections 498-A and 406 of the IPC.

Learned counsel for the petitioner *inter alia* contends that the parties have already effected a compromise before the registration of the FIR in the presence of the ‘*Panchayat*’ members and a written compromise (Annexure P-2) was executed. Thereafter, the contents of the compromise were again reduced into writing on a stamp paper on 10.10.2022 (Annexure P-3) but despite that the present FIR has been registered. The petitioner is ready to join investigation.

Notice of motion.

On advance notice, Ms. Himani Arora, A.A.G., Punjab accepts notice on behalf of the State and seeks time to file status report.

Adjourned to 21.02.2024.

In the meanwhile, the petitioner is directed to join investigation within one week and in the event of arrest, he shall be released on interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate, subject to the following conditions:-

(i) the petitioner shall 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.”

5. Learned counsel appearing on behalf of the respondent-State on instructions from concerned Investigating Officer has informed that the petitioner had joined the investigation, however recovery is yet to be effected.

6. Keeping in view the reasons recorded in the order dated 09.01.2024 and keeping in view the fact that the petitioner has joined investigation and the allegations *inter se* the petitioner and complainant are matter of trial, as such the present petition is allowed and the order dated 09.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

7. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.



8. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

28.05.2024

P.Bhatt

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