



**Sr. No.210**

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

**CRM-M-1615-2024**  
**Date of decision: 15<sup>th</sup> July 2024**

**PAVITTAR SINGH** .....**Petitioner**  
**versus**

**STATE OF PUNJAB AND ANOTHER** .....**Respondents**

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

Present: Mr. Satvir Singh, Advocate  
for the petitioner.

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 petitioner in case DDR No.37 dated 04.10.2023, under Sections 498-A, 406, 506, 323 read with Section 34 IPC, 1860 (Annexure P-3) in FIR No.86 dated 05.07.2023, under Sections 325, 323 read with Section 34 IPC, registered at Police Station Sadar Sangrur, District Sangrur (Annexure P-1).

2. On 05.02.2024, the following order was passed:-

“xxx xxx xxx xxx

2. *Learned counsel for the petitioner inter alia contends that the petitioner (husband) has been implicated at the instance of respondent No. 2 (wife), in the aforesaid DDR which actually is a counter-version of the FIR No. 86, dated 05.07.2023, under Sections 325 and 323 of the IPC read with Section 34 thereof, registered at Police Station Sadar District Sangrur, registered at the instance of the petitioner.*

3. *Notice of motion.*

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



5. *She on instructions from ASI Suresh Kumar has confirmed that the petitioner himself received head injury qua which the aforesaid FIR was registered.*

6. *Adjourned to 20.03.2024 for service of respondent No. 2.*

7. *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 furnishing bonds/surety, 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.*

xxx xxx xxx xxx”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the aforesaid order dated 05.02.2024, passed by this Court.

4. Learned State counsel has filed status report dated 20.03.2024, by way of affidavit of Sh. Manoj Gors, PPS, Deputy Superintendent of Police, Sub-Division Sangrur, on behalf of respondent-State of Punjab, which is taken on record. As per the status report, the petitioner-Pavittar Singh was implicated on the basis of cross-case bearing DDR No.37 dated 04.10.2023, which was recorded during the investigation of FIR No.86 dated 05.07.2023.

5. Learned State counsel, on instructions from ASI Kulwinder Kaur, further confirms that the petitioner has joined investigation twice on 11.02.2024 and 16.03.2024, in compliance of the order dated 05.02.2024, passed by this Court and got effected the recovery of various articles, which were taken into possession



vide Recovery Memo dated 16.03.2024. Learned State counsel contends that further custodial interrogation of the petitioner is not required.

6. In view of the reasons recorded in the order dated 05.02.2024 and keeping in view the fact that the petitioner has joined investigation and his further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 05.02.2024, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

7. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

8. However, liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

9. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)  
JUDGE

15<sup>th</sup> July 2024  
simran

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