

CRM-M-3069-2024 (O&M)

2024:PHHC: 064188 - 1 -

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3069-2024 (O&M)

DATE OF DECISION : 08.05.2024

SAGAR

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. R.P.Saini, Advocate for the petitioner.

Ms. Himani Arora, A.A.G., Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

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.252 dated 22.11.2023 registered at Police Station Gharinda, District Amritsar Rural, under Sections 406, 498-A IPC.

2. On 20.01.2024 following order was passed:

“xxxx Learned counsel for the petitioners inter alia contends the marriage between the petitioner and the complainant was performed on 03.05.2023 and it was a love marriage. Immediately after two months of marriage, the complainant left the house and made a complaint to the police against the petitioner as well as against the family members of the petitioner with the allegations of harassment which are vague in nature.

Notice of motion.

On advance notice, Mr. Jaspal Singh Guru, AAG, Punjab appears on behalf of the State and submits that other co-accused i.e. mother-in-law has already joined the proceedings before the Investigating Officer. Learned State counsel seeks time to file status report.

Adjourned to 14.03.2024.

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.”

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

4. Learned State counsel, on instructions from ASI Victor Singh, has also confirmed that the petitioner has joined investigation. State counsel further informs that custodial interrogation of the petitioner is not required.

5. In view of the aforesaid facts and the reasons recorded in the order dated 20.01.2024 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 20.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in 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.

08.05.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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