

2024:PHHC:017707
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-3628-2023
Date of Decision : 08.02.2024

Gagandeep Singh

...Petitioner

Versus

State of Punjab & another

....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vivek Singla, Advocate for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr.Amandeep Chhabra, Advocate for respondent No.2.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.0083 dated 16.12.2022, registered for the offences punishable under Sections 498-A, 406 and 506 of IPC, 1860, at Police Station Women, District Bathinda.

2. On 23.01.2023, the following order was passed:-

“Notice of motion.

On the asking of the Court, Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of the State.

Learned counsel for the petitioner argued that all the allegations leveled upon the petitioner are false. The petitioner is ready to join the investigation. It is alleged that no recovery is to be effected from him.

Considering the aforesaid facts, the arrest of the petitioner is stayed till next date, subject to the joining of investigation.

Adjourned to 27.03.2023.

Status Report be filed by respondent - State by the adjourned date.”

3. Learned State counsel, on instructions from H.C. Seema Rani, has stated that pursuant to the order dated 23.01.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant has vociferously opposed the grant of anticipatory bail by arguing that the allegations made against the petitioner are serious in nature and the entire recovery of the dowry articles/stridhan has not been effected.

5. In view of above, the interim order dated 23.01.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

February 08, 2024

poonam

**(SUMEET GOEL)
JUDGE**

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