

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204 CRM-M-4093-2024(O&M)
Date of Decision: 17.05.2024

HARPREET SINGHPetitioner

VERSUS

STATE OF PUNJAB AND ANOTHERRespondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mohd. Salim, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

None for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C.

seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
164	25.11.2023	P.S. Amargarh, District Malerkotla	323, 506, 342 & 34 of IPC (Section 498-A of IPC added later on)

2. As per office report respondent No.2 has been duly served but none appeared on her behalf.

3. Vide order dated 25.01.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 25.01.2024 reads as under:-

“The present petition has been filed under Section 438 of Cr.P.C. by the petitioner seeking pre-arrest bail in case arising out of FIR No.164 dated 25.11.2023 initially registered under Sections 323, 506, 342 read with Section 34 of IPC at Police



Station Amargarh, District Malerkotla, on the basis of statement recorded by respondent No.2, who is the wife alleging that on 16.11.2023, the present petitioner along with his parents had assaulted her by extending beatings to her and thereafter confined her in a room where she had become unconscious. She was got admitted in a hospital by her parents. She also alleged that her in-laws family had always been demanding money in the form of dowry. The offence under Section 498-A of IPC has been added later on.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in this case. No offence has been alleged by him and no demand of dowry was ever made by him. General and omnibus allegations have also levelled against him in this regard. He is ready to join investigation and his custodial interrogation is not required.

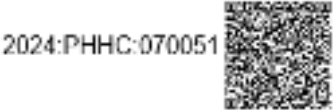
Notice of motion for 15.03.2024.

On asking of the Court, Mr. Arjun Lakhanpal, Addl., A.G., Haryana, accepts notice on behalf of respondent-State. He seeks some time to file status report.

On filing of process fee, let notice to the respondent No.2 be issued for the date fixed.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

4. Learned State counsel filed status report dated 21.04.2024. The same is taken on record. He further, on instructions states that the petitioner has joined the investigation on 01.02.2024 and he is not required for



custodial interrogation. No useful purpose will be served by detaining him in custody. In view of the said facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 25.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

17.05.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |