

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7454-2024 (O&M)

DATE OF DECISION : 01.04.2024

KULDEEP SINGH

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rishi Jindal, Advocate for
Mr. Anirudh Singh Shera, Advocate for the petitioner.

Mr. Amrik Singh Narwal, D.A.G., Haryana.

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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.253 dated 19.12.2023 registered at Police Station Jhansa, District Kurukshetra, under Sections 354-A, 452, 506 IPC.

2. On 13.02.2024 following order was passed:

“xxxx Learned counsel for the petitioner contends that petitioner is brotherin-law of the complainant-prosecutrix who is about 50 years of age and the present FIR being registered due to a family dispute.

Notice of motion.

On advance notice, Mr. Amrik Singh Narwal, DAG, Haryana, appears on behalf of the State and confirms that there was no fire incident spotted by the investigating agency. The statement of the prosecutrix has already been recorded.

Adjourned to 01.04.2024.

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. As per the prosecution case, on 29.11.2023, the petitioner who is brother-in-law of the complainant abused her and threatened to kill her. He also used obscene words and gave wrong gestures. He did not stop despite the intervention by the family members. He also poured diesel at the house of the complainant and threatened to kill her.

4. Learned counsel for the petitioner contends that the petitioner is brother-in-law of the prosecutrix and he is about 50 years of age. The FIR was registered due to a family dispute inter-se the petitioner and the complainant. The petitioner has joined the investigation in compliance of the order passed by this Court dated 13.02.2024.

5. Status report by way of affidavit of Pardeep Kumar, Deputy Superintendent of Police, Kurukshetra on behalf of the State has been taken on record.

6. Learned State counsel has confirmed that the petitioner has joined the investigation in compliance of the order dated 13.02.2024 passed by this Court.

7. The maximum punishment under Section 354-A IPC is 3 years. The petitioner has joined the investigation. He has a fixed place of residence. There is no apprehension of his absconding. The allegations of the complainant-victim are matter of trial.

8. In view of the aforesaid circumstances and keeping in view the reasons recorded in the order dated 13.02.2024, the present petition is allowed and the order dated 13.02.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

01.04.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*