

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-12153-2023 (O&M)
Date of Decision: 11.03.2024

HARPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

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

Present:- Mr. J.K. Singla, Advocate
for the petitioner.

Mr. G.S. Bhullar, AAG, Punjab.

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.109 dated 23.11.2022 registered under Sections 323, 354, 376(2)(N), 420, 120-B IPC (Act No.45 of 1860) at Police Station Joga, District Mansa.
2. Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of the complainant that the petitioner had committed cruelty upon the complainant and also outraged her modesty.
3. On 21.11.2023, the Coordinate Bench of this Court passed the following order:-

“1. Petitioner is seeking anticipatory bail in case bearing FIR No. 109 dated 23.11.2022 under Sections 323, 354, 376(2)(n), 420, 120-B IPC registered at Police Station Joga, District Mansa

2. Learned counsel for the petitioner contends that the petitioner and prosecutrix have attained the age for valid marriage. The earlier marriage of the prosecutrix has been dissolved by a decree of divorce. The petitioner and the prosecutrix have solemnized marriage on 15.10.2023. The prosecutrix is happily residing in the matrimonial house with the petitioner. A separate petition for quashing the FIR bearing CRM-M- 58117-2023 has also been instituted.

3. Adjourned to 09.01.2024.

4. Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

5. To be heard with CRM-M-58117-2023.”

4. Learned counsel for the petitioner further contends that the petitioner had joined the investigation in pursuance to the order dated 21.11.2023 passed by the Coordinate Bench of this Court.

5. Learned counsel appearing on behalf of the respondent-State on instructions from concerned Investigating Officer confirms that the petitioner has joined the investigation.

6. Keeping in view the reasons recorded in the order dated 21.11.2023 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 21.11.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

7. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

8. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

11.03.2024

P.Bhatt

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