



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-16055-2023 (O&M)
Date of Decision: 30.05.2024

GURPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present:- Mr. Sandeep Sharma, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Ms. Aarti Sharma, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J.

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.0278 dated 28.09.2022 registered under Sections 406, 498-A IPC at Police Station City Kharar, District SAS Nagar (Mohali).

2. Learned counsel for the petitioner *inter alia* contends that the present FIR was registered at the instance of respondent No.2 on account of a matrimonial dispute between the parties. He further contends that the petitioner had joined the investigation in pursuance to the order dated 27.07.2023 passed by the Coordinate Bench of this Court. He submits that despite the fact that mediation has failed between the parties, the petitioner would deposit a sum of Rs.50,000/- in the name of the first informant to bear the medical expenses of the child.



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3. On 27.07.2023, the Coordinate Bench of this Court passed the following order:-

“Fresh Power of Attorney has been filed on behalf of the petitioner in the Court today and the same is taken on the record.

As per the report of the Mediator at Flag ‘A’, the parties could not arrive at any amicable settlement of their dispute.

Learned State counsel seeks some time to get proper and complete instructions qua the present matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 08.11.2023.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal as well as surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation within 02 (two) weeks positively and would continue to do so as and when required/ called by the Investigating Officer for the said purpose and he shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

4. Learned counsel appearing on behalf of the respondent-State has informed that the petitioner had joined the investigation and custodial interrogation of the petitioner is not required.

5. Keeping in view the reasons recorded in the order dated 27.07.2023 and keeping in view the fact that the petitioner has joined investigation and the allegations *inter se* the petitioner and respondent No.2 are matter of trial, as such the present petition is allowed and the order dated 27.07.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

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

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

(HARPREET KAUR JEEWAN)
JUDGE

30.05.2024

P.Bhatt

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No