

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

203

CRM-M-16731-2024
Date of decision: 21.05.2024

SANDEEP SINGH
V/s
....PETITIONER

STATE OF PUNJAB AND ANOTHER
....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ishan Gupta, Advocate with
Ms. Palvi, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG, Punjab.

None for respondent No.2.

SUMEET GOEL, J.

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.25 dated 22.02.2024, registered for the offences punishable under Sections 498-A, 323, 341, 34 of IPC at Police Station Dhuri (Sadar Dhuri), District Sangrur.
2. On 02.05.2024, the following order was passed:-

Status report by way of affidavit of Sh. Talwinder Singh Gill, PPS, Deputy Superintendent of Police, Sub Division Dhuri, District Sangrur filed in the Court today. The same be taken on record. A copy thereof has been supplied to learned counsel for the petitioner. Office note indicates that respondent No. 2 has been served. However, none has caused appearance on her behalf. Learned counsel for the petitioner Inter alia contends that the FIR in question is the result of matrimonial discord between the petitioner and complainant-wife & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in ' Md. Asfak Alam versus The State of Jharkhand and another' 2023(3) R.C.R. (Criminal) 754 and ' Arnesh Kumar versus State of Bihar'' (2014) 8 SCR 128. Adjourned to 21.05.2024. The petitioner is directed to appear before the Investigating Officer on 07.05.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C."

3. Learned State counsel, on instructions from ASI Suresh Kumar, has stated that pursuant to the order dated 02.05.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the present petition is allowed and interim order dated 02.05.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. 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.
6. 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.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
8. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

May 21, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No