



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-25462-2024 (O&M)
Date of Decision: 20.08.2024

INDERJIT GARCHA

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present:- Mr. R.S. Narang, Advocate with
Mr. Manpreet, Advocate
Ms. Ishita Kaur, Advocate and
Mr. Satbir Singh, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Birinder Pal, Advocate with
Mr. Aayush Goyal, 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.06 dated 01.02.2024 registered under Section 498-A IPC at Police Station Women, Mohali.
2. On 24.05.2024, this Court passed the following order and directed the petitioner to join the investigation:

“1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 0006 dated, 01.02.2024, registered at Women Police Station, District Mohali, under Section 498-A of the IPC.

2. Notice of motion has already been issued on 20.05.2024.

3. Mr. Birinder Pal, Advocate has filed power of attorney on behalf of respondent No.2 and seeks accommodation to raise submissions.

4. Adjourned to 25.07.2024.
5. In the meanwhile, in the event of arrest of the petitioner, he shall be released on interim bail, to the satisfaction of the arresting officer/SHO of Police Station, subject to the conditions laid down in Section 438 (2) Cr.P.C.”

3. Learned counsel appearing on behalf of the respondent-State on instructions from HC Harjit Singh has informed that the petitioner had joined the investigation and custodial interrogation of the petitioner is not required. He further contends that co-accused Harinder Singh Garcha is yet to be arrested.

4. Learned counsel for the petitioner contends that co-accused Harinder Singh Garcha has also filed a petition seeking anticipatory bail and he has been granted interim protection by this Court. He further submits that the petitioner is mother-in-law of the complainant-Gurbani and she had joined the investigation in compliance of the order dated 24.05.2024.

5. Keeping in view the reasons recorded in the order dated 24.05.2024 and keeping in view the fact that the petitioner has joined investigation and the allegations *inter se* the petitioner and complainant are matter of trial, the present petition is allowed and the order dated 24.05.2024 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

20.08.2024

P.Bhatt

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No