



CRM-M-38210-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM-M-38210-2024
Date of Decision : 26.09.2024

Sukhpal Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Gaganvir Singh Gill, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. This Court, on 07.08.2024, had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is made for grant of anticipatory bail to the petitioner in case FIR No.0147 dated 4.7.2024, under Section 118(1) and 333 of the Bharatiya Nagarik Suraksha Sanhita, 2023, registered at Police Station :Patran, District Patiala, Punjab.

The genesis of registration of the instant FIR, emerges from a matrimonial dispute, which is pending inter-se the parties. The instant FIR has been registered on a complaint made by mother-in-law of the present petitioner.

Learned counsel for the petitioner submits that even if the allegations are taken on its face value, the only allegations against the present petitioner are that he caused simple hurt after causing house trespass.



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Notice of motion for 26.09.2024.

On the asking of the Court, Mr. Pardeep Bajaj, DAG, Punjab accepts notice on behalf of the respondent-State.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) of the Cr.P.C.”

2. Status report dated 25.09.2024, by way of affidavit of Mr. Inderpal Singh, PPS, Deputy Superintendent of Police, Circle Patran, District Patiala, on behalf of the respondent-State of Punjab, furnished by learned State counsel today, in the Court. The same is ordered to be taken on record.

3. Today learned State counsel, on instructions imparted to him by the Investigating Officer concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined the investigation and he is no longer required for further custodial interrogation.

4. In view of the above, the hereinabove extracted interim order dated 07.08.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when

required.”

5. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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. Needless to say, that anything observed hereinabove, shall not be construed to be an expression of opinion, on the merits of the case.

(KULDEEP TIWARI)
JUDGE

September 26, 2024
Manpreet

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No