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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42170-2024

Date of decision: 30.09.2024

Kamal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Harshit Joon Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in
case bearing FIR No.118 dated 23.07.2024 under Sections 498-A/506 of IPC
registered at Police Station Sardulgarh, District Mansa (Annexure P-1).

On 29.08.2024, the following order was passed:-

*'These petitions are preferred under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in FIR
No.118 dated 23.07.2024 under Sections 498-A & 506 of the Indian
Penal Code, 1860 (for short 'IPC'), registered at Police Station
Sardulgarh, District Mansa.*

*Learned counsel for the petitioners, inter alia, contends that
the petitioners have been falsely implicated in the present case.
Admittedly, son of the petitioners and complainant were residing
separately and they have been entangled in this case only for the
reason that they are family members of husband of the complainant.
All the allegations levelled against the petitioners are implausible and
far-fetched. Moreover, the maximum sentence provided for the
offences, under which the FIR (supra) is registered, is upto 03 years.*

Notice of motion for 30.09.2024.

*Keeping in view the ratio of law enunciated by the Hon'ble
Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC
273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021)
2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51,
Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors.,
2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs.
State of Punjab, (1980) 2 SCC 565**, the petitioners are directed to*

appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioners will be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioners will co-operate in the investigation. If the arresting officer does not permit the petitioners to join the investigation, they would appear before the learned Illaqa Magistrate, who would then summon the arresting officer and direct him to join the petitioners in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and the trial Court shall decide the same on its own merits, strictly in accordance with law.

Photocopy of this order be placed on the file of connected case.'

Learned State counsel on instructions from ASI Amrik Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 29.08.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

30.09.2024
Neha

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