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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46877-2023

Date of Decision: 10.01.2024

KEWAL KRISHAN BAKSHI AND ANR

.. Petitioners

Vs.

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vivek Goyal, Advocate for the petitioners.

Ms. Mahima Yashpal, DAG, Haryana.

Mr. Nitin Sachdeva, Advocate for the complainant.

...

SUMEET GOEL, J. (Oral)

1. On 31.10.2023, the following order was passed:-

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.288 dated 20.06.2023 under Sections 323, 34, 354A, 376, 406, 498-A, 509, 511 of the Indian Penal Code, 1860 registered at Police Station Kheripul, Faridabad.

Learned counsel for the petitioners would contend that the parties have since compromised the matter and a petition under Section 13-B of the Hindu Marriage Act, 1955 has also been filed for dissolving the marriage between the son of the petitioner i.e. Pankul Bakshi and the complainant wherein the statements of the first motion stand recorded.

Notice of motion.

Ms. Mahima Yashpal, DAG Haryana accepts notice on behalf of the respondent-State of Haryana. Learned counsel for the State, on instructions from SI-Asha, states that the parties have compromised the matter and that the complainant has given an affidavit wherein she has stated that she does wish to pursue the complaint.

List on 10.01.2024.

Meanwhile, the petitioners are directed to join investigation as and when called for. In the event of arrest, the petitioners shall be admitted to interim bail

on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.

2. Learned State counsel on instructions from SI Asha has stated that pursuant to the order dated 31.10.2023, the petitioners have joined investigation and are no longer required for custodial interrogation.
3. In view of above, the interim order dated 31.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. This order should not be treated as “blanket” order. It will not be interpreted as granting petitioners 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.
5. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violate any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
6. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

10.01.2024

(SUMEET GOEL)
JUDGE

Jasmine Kaur

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No