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205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47436-2023 (O&M)
DATE OF DECISION : 24.07.2024

PARAMJIT SINGH @ BINDU ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Kamal Narula, Advocate for the petitioner.
Ms. Himani Arora, A.A.G., Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

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. 61 dated 20.07.2023 registered at Police Station Arni Wala, District Fazilka, under Sections 363, 366-A & 120-B IPC.
2. On 20.09.2023 following order was passed by the Co-Ordinate Bench of this Court.:

“xxxx Learned counsel for the petitioner, inter-alia, contends that the petitioner has been roped in as an accused in the subject FIR merely for the reason that he happens to be the paternal uncle of his co-accused Nishan Singh who is alleged to have allured and eloped with the minor daughter of the complainant whereas in fact, the petitioner has no concern with the alleged crime and has not participated in the commission of the same in any manner and moreover, he is ready and willing to join in the investigation as and when so required by the Investigating Agency and is also not involved in any other criminal case.

Notice of motion.

Mr. Iqbal Singh Mann, learned Deputy Advocate General, Punjab, who has put in appearance in this case in pursuance of the

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copy of the instant petition having been sent to the respondent-State in advance, accepts the notice and he seeks time to get proper and complete instructions qua this matter from the quarter concerned and if deemed necessary, then to file the Status-Report also.

Adjourned to 01.12.2023.

Meanwhile, the petitioner shall join in the investigation on 27.09.2023 at 10:00 AM sharp and if there need be, even thereafter and in the event of his arrest, he shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/ Investigating Officer and he shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C. ”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation and further contends that the statement of the complainant Jagir Ram and the statement of the prosecutrix has already been recorded during the trial of the co-accused Amarjeet Singh and others and they have not supported the prosecution case.

4. Learned State counsel, on instructions from HC Manjeet Singh, has confirmed that the petitioner has joined investigation in compliance of the order passed by this Court and further custodial interrogation of the petitioner is not required.

5. In view of the aforesaid facts and the reasons recorded in the order dated 20.09.2023 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 20.09.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

6. However, it is made clear that nothing expressed hereinabove

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would be construed to be an expression of opinion on merits of the case.

7. Liberty is also reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

8. All the pending miscellaneous applications, if any, shall stand disposed of.

24.07.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

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