

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-48363 of 2023

DATE OF DECISION :- 11.01.2024

Mohammad Ramzan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Gazi Mohd. Umair , Advocate
with Mr. Abdul Aziz, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. On 25.09.2023 the following order was passed:-

“The petitioner herein seeks the relief of pre-arrest/anticipatory bail in the criminal case arisen out of the FIR bearing No.92 dated 07.08.2023 registered at Police Station City-II Malerkotla District Malerkotla, under Sections 323, 498-A & 506 read with Section 34 IPC.

Learned counsel for the petitioner, inter-alia, contends that the petitioner has been got falsely roped in as an accused in the subject FIR and in fact, he had never ever subjected the complainant-wife to cruelty and rather, it was the complainant-wife who was short tempered and used to get angry over the trivial matters and moreover, he (petitioner) 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 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 11.01.2024.

Meanwhile, the petitioner shall join in the investigation on 03.10.2023 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.”

2. Learned State counsel on instructions from ASI Gurdeep Singh has stated that pursuant to the order dated 25.09.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the interim order dated 25.09.2023 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 read granting petitioner 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 petitioner violates 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.

11.01.2024
P.Singh

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No