

CRM-M-55396-2023

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M-55396-2023 (O&M)

Date of decision:12.01.2024

Gurpreet Singh

....Petitioner

V/s

State of Punjab and another

....Respondents

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Gursimar Singh Alagh, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG Punjab.
Mr. Nagar Singh, Advocate for respondent No.2.

SUMEET GOEL, J. (Oral)

CRM-53525-2023

Notice of the application.

On the asking of Court, Mr. Adhiraj Singh Thind, AAG Punjab
and accept notice on behalf of respondent Nos.1-State and respondent No.2,
respectively.

Application is allowed as prayed for, subject to all just
exceptions.

CRM-M-55396-2023

1. On 06.11.2023 the following order was passed:-

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.191 dated 11.09.2023 registered under Sections 323/341/506/498-A IPC at Police Station Division No.6. District Police Commissionerate Ludhiana.

2. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 05.03.2023. The allegations have been levelled on the basis of false and vague allegations.

The offence under Sections 406 and 313 IPC have not been added in the instant case. At the first instance, the petitioner had made a statement to the police authorities apprehending that the complainant was threatening to involve the petitioner and his family in false cases. The FIR has been lodged subsequently as a counterblast to the said statement. The parents of the petitioner have been granted interim bail by the Court of Sessions. Furthermore, the petitioner is ready and willing to amicably settle the matrimonial dispute.

3. *On the oral request, the complainant, namely, Simranjit Kaur daughter of Avtar Singh R/o Village Lalton Khurd, Police Station Sadar District Ludhiana is impleaded as respondent No.2. Registry to make necessary correction in the memo of parties.*

4. *Notice of motion.*

5. *Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State,*

6. *The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 28.11.2023.*

7. *To await the report, list on 06.01.2024.*

8. *However, the petitioner shall pay a sum of Rs.30,000/- to the complainant on her appearance before the Mediation and Conciliation Centre of this Court to facilitate her presence and participation during the course of mediation proceedings.*

9. *Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”*

2. Learned State counsel on instructions from ASI Onkar Singh has stated that pursuant to the order dated 06.11.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. Learned counsel appearing for respondent No.2-complainant has opposed the grant of pre-arrest bail.

4. In view of above, the interim order dated 06.11.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C. The petitioner is granted pre-arrest bail/anticipatory

CRM-M-55396-2023

3

bail in FIR No.191 dated 11.09.2023 registered under Sections 323/341/506/498-A IPC and Section 406 IPC also.

5. 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.

6. 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.

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

January 12, 2024
Ajay

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