

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60616-2023 (O&M)
Date of decision : 13.02.2024

Paramjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Shehbaz Thind, Advocate for the petitioner.

Ms. Avneet, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.0164 dated 05.10.2023, under Sections 189, 294, 506 of the Indian Penal Code, 1860 (Sections 384, 386, IPC & 67 of the Information Technology Act, 2000 added later on), registered at Police Station City Khanna, District Khanna.

(2) Above FIR was registered on the basis of complaint made by Sumit Luthra, who is a practicing Lawyer at Khanna, with the allegations that

Rinki Rani, who is wife of the petitioner, was his client in a case under Section 125 Cr.P.C., initiated by the said Rinki Rani against her husband. Petitioner had asked the complainant for compromise with his wife; but when the complainant refused for the same, petitioner abused and threatened to kill him.

(3) This Court, while issuing notice of motion on 02.12.2023, granted interim bail to petitioner and the same reads as under:-

“Notice of motion.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 13.02.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions, acknowledged that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 02.12.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

- (7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) It is clarified that in case there is recurrence on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

13th February, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>