

Sr. No.210

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

CRM-M-64366-2023
Date of decision: 07th March, 2024

JASBIR SINGH**Petitioner**

versus

STATE OF HARYANA**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. C.S. Singhal, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, D.A.G., Haryana.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant first petition has been filed by the petitioner under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.838 dated 20.12.2021, under Sections 406, 323, 498-A IPC, registered at Police Station Sahabad, District Ambala (Annexure P-1).
2. Learned counsel for the petitioner submits that the petitioner was granted interim bail as per the order dated 21.12.2023, passed by this Court.
3. The relevant portion of the aforesaid said order reads as under:-

“Petitioner is facing investigation with the allegations that the petitioner and his family members have demanded dowry from the complainant. They used to beat the complainant on the pretext of demanding dowry.

Notice of motion.

On advance notice, Mr. Amrik Singh Narwal, DAG, Haryana appears on behalf of the State and seeks time to file status report.

Adjourned to 28.02.2024.

In the meanwhile, the petitioner is directed to appear before the trial Court within 15 days and in the event of arrest he shall be released on

interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaqa Magistrate.

He shall also comply with the conditions stipulated in Section 438(2) of the Cr.P.C.”

4. Learned counsel for the petitioner has informed that in compliance of the aforesaid order, the petitioner has appeared before the trial Court. Copy of the order dated 29.12.2023, passed by the Sub-Divisional Judicial Magistrate, Shahabad is taken on record.
5. Learned counsel appearing on behalf of the respondent-State confirms that the petitioner has joined investigation and also contends that his further custodial interrogation is not required.
6. In view of the reasons recorded in the order dated 21.12.2023 and keeping in view the fact that the petitioner has joined investigation, his further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 21.12.2023 passed by this Court, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.
7. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
8. Liberty is reserved in favour of the State/complainant to move an application 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.

(HARPREET KAUR JEEWAN)
JUDGE

07th March, 2024
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2024.03.09 13:47
I attest to the accuracy and
integrity of this order/judgment.

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