

2025:PHHC:038892



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

Sr. No.205

**CRM-M-38417-2024 (O&M)
Date of decision : 21.03.2025**

Amanpreet Singh Dhaliwal

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Pawandeep Singh, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Ms. Prabhjot Kaur, Advocate, for respondent No.2.

KIRTI SINGH, J. (Oral)

1. Prayer in the present petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner, in case FIR No.56 dated 08.06.2022, under Sections 498-A & 494 IPC, registered at Police Station City Nakodar, District Jalandhar.

2. This Court on 12.08.2024, while issuing notice of motion, directed the petitioner to join investigation. The said order reads thus:-

'The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 56, dated, 08.06.2022, registered at Police Station City Nakodar, District Jalandhar, under Sections 498-A and 494 of the IPC.

2. Learned counsel for the petitioner inter alia contends that after the registration of the present FIR, the parties have effected a compromise and a compromise deed, dated 22.07.2024 (Annexure P-2) has also been executed, as per which the petitioner-husband and the complainant-wife have agreed to file a divorce petition and even the mutual settlement amount with regard to maintenance has also been agreed. The petitioner is ready to join the investigation. The first bail petition was dismissed as withdrawn on 03.05.2024 (Annexure P-4) and was not decided on merits.

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3. *Notice of motion.*

4. *On advance notice, Mr. Davinder Bir Singh, Sr. D.A.G., Punjab appears on behalf of the respondent-State and seeks time to file status report.*

5. *Adjourned to 28.10.2024 for service of respondent No. 2.*

In the meanwhile, in the event of arrest of the petitioner, he shall be released on interim bail, on his furnishing bail bonds and surety bonds to the satisfaction of the arresting officer/Area Magistrate and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.'

3. Learned State counsel has filed status report in Court today and the same is taken on record. He on instructions from ASI-Rajinder Pal Singh submits that in compliance of order dated 12.08.2024, the petitioner has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 12.08.2024 passed by this Court, is hereby made absolute.

5. This order should not be treated as "blanket" order. It will not be read granting the petitioner(s) 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.

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6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner(s).
7. The accused-petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.
8. The accused-petitioner(s) shall not leave India without prior permission of the Court.
9. The accused-petitioner(s) shall join the investigation as and when called by the police.
10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner(s), in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

21.03.2025

Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No