

**IN THE COURT OF HARINDER SIDHU
ADDITIONAL SESSIONS JUDGE FAST TRACK SPECIAL COURT
PATIALA (PB00130)**

**CIS No.BA 1715/2024
Registration No.114 of 23.05.2024
CNR No. PBPT-01-005451-2024
Date of Order: 22.07.2024**

Dinshaw Kataria daughter of Ranbir Kataria resident of Flat No.1104, Skylart Apartment Santemajra Landran Road Kharar SAS Nagar (Mohali)

..... Applicant

Versus.

State of Punjab.

.....Respondent.

**Petition under section 438 of CrPC for the grant of anticipatory bail to
the petitioner.**

**FIR No.68 dated 11.05.2024
under sections 406, 498-A, 420, 120-B of the IPC
Police Station Kotwali Nabha**

Present: Sh. Bikram Singh Tikka, Advocate, counsel for the applicant.
Sh. R.S Sidhu, Addl. PP for the state.
Complainant Rajesh Kumar in person.

ORDER

This order pertains to the application for grant of pre-arrest bail filed by the applicant/accused Dinshaw Kataria, in FIR No.68 dated 11.05.2024 registered under section 406, 498-A, 420, 120-B of the IPC registered at police station 'Kotwali Nabha'.

2. Notice of the bail application had been given to the state and the learned Additional Public Prosecutor for the state Sh. R.S Sidhu assisted by the

investigating officer appeared to represent the state and contest the bail application. The record of investigation has been produced.

3. The parties on their appearance before the court on 24.05.2024, were willing for an amicable settlement and accordingly the matter was referred to mediation. The efforts in the Mediation and Conciliation Center were not fruitful and report has been received from the mediation regarding the mediation having failed. The parties are hence before this court now for consideration on the merits of the bail application.

4. The applicant/accused Dinshaw Kataria is the sister-in-law of the daughter of the complainant. As stated by her counsel, she is a lecturer at Amritsar since 2017 and is staying there. She has never stayed with the daughter of the complainant. The daughter of the complainant and her husband are staying abroad; though it is mentioned that they are staying separately and divorce is pending. The applicant/accused as per the statement of the investigating officer ASI Sukhpal Chand No.2850/PTA posted at police station Kotwali Nabha has joined the investigation on 20.07.2024 and she is not required further for the purpose of investigation in the present case.

There is nothing on the record or mentioned by the investigating officer to suggest that the bail applicant has not co-operated with the investigation or has tried to hamper the same in any way, hence, since the bail applicant has joined the investigation and has cooperated therein, there is no justification made out to deny the concession of pre-arrest bail to her. The interim order dated 24.05.2024 is, therefore, made absolute subject to the compliance of provisions contained in Section 438(2) Cr.P.C and the applicant shall remain bound by the following conditions:-

- (i) that the applicant shall not leave the country without the

prior permission of the Illaqa Magistrate till presentation of challan and thereafter without the permission of the trial court;

- (ii) that the applicant 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 them from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall continue to cooperate with the investigating agency;
- (iv) that the applicant shall regularly attend the hearings before the trial court;

Copy of this order be sent to the concerned authorities. The present bail application be consigned the record room, as per rules.

Pronounced
Date of order :22.07.2024
Venus Goyal

(Harinder Sidhu)
Additional Sessions Judge
Fast Track Special Court
Patiala
UID No.PB00130