

DATE OF DECISION: JULY 29, 2016

.....PETITIONER

VERSUS

.....RESPONDENT

Present: Mr. NPS Mann, Advocate
for the petitioner.

Mr. Sidakmeet S. Sandhu, AAG, Punjab.

Mr. Ashok Saini, Advocate
for the complainant.

JASPAL SINGH, J (ORAL)

By virtue of this petition preferred under Section 438 Cr.P.C, petitioner has sought the directions to the Investigating Officer/Arresting Officer to release the petitioner on pre-arrest bail in case FIR No. 0011 dated 25.02.2016 under Section 420 and 120-B IPC registered at Police Station Division No.3, Police Commissionerate, Ludhiana.

At the time of issuance of notice of motion on March 21, 2016, following order was passed.

“Petitioner is father of Inderjit Singh who is an accused in a case registered at the instance of Manjot Singh alleging that daughter of the complainant was engaged to Harjit Singh son of the petitioner and cash along with gold ring had been handed over to the petitioner and his son Inderjit Singh.

Counsel for the petitioner submits that at one stage, the petitioner was found innocent. He further submits that son of the petitioner Inderjit Singh is still ready to marry the daughter of the complainant but he is to return after about one year.

Counsel for the petitioner also submits that with an intention to pressurise the petitioner to call his son prior to one year and pressurise him to marry the daughter of the complainant, the present case has been registered.

Notice to the Advocate General, Punjab, for 9.5.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 9.4.2016 and 16.4.2016 or on any other date as required by the Investigating Officer. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.”

Learned State counsel on instructions from ASI Chaman Singh has stated that petitioner has joined the investigation on 21.05.2016, 11.06.2016 and 02.07.2016. However, at this juncture it has been submitted by learned State counsel assisted by Mr. Ashok Saini, Advocate for the complainant that all the jewellery items have not been returned by the petitioner. But at this stage, since the petitioner has joined the investigation on all the three dates, it is a matter of evidence as to what articles were given and what are to be returned by the petitioner.

Taking into consideration all the above-said facts, interim order dated March 21, 2016 is made absolute. However, petitioner shall abide by all the conditions as envisaged under Section 438(2) Cr. P.C.

JULY 29, 2016
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(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No