

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

CRM-M -12337 of 2017 (O&M)
Date of decision: 29.08.2017

Jasmeet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. SPS Sidhu, Advocate for the petitioner(s).

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by ASI Sukhdev Singh.

Mr. Manuj Nagrath, Advocate for respondent No.2.

Jitendra Chauhan, J. (Oral)

CRM-27113-2017

Allowed as prayed for, subject to all just exceptions.

Main Case

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.27 dated 14.03.2017, registered under Sections 406 and 498-A of IPC, at Police Station Women Cell, District Police Commissionerate Ludhiana.

On 07.04.2017, this Court had passed the following order:-

“Learned counsel for the petitioner contends that

marriage of the petitioner was solemnized with the complainant on 26.01.2012 and a girl child was born out of this wedlock on 08.06.2013. After separation, the minor child is staying with the petitioner. An attempt can be made for out of Court settlement between the parties.

Subject to deposit of Rs.30,000/- before the Registry of this Court towards litigation expenses, notice of motion be issued for 18.07.2017.

Meanwhile, petitioner is directed to join the investigation as and when called by the Investigation Officer. In the event of arrest, he shall be released on bail by the Investigation Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions mentioned below, as envisaged in Section 438(2) Cr.P.C :-

- i. that the petitioner shall make himself available for interrogation by Police Officer as and when required;*
- ii. he 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. he shall not leave India without the previous permission of the Court;*
- iv. such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section."*

It is contended that in pursuance of the order dated 07.04.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that though the petitioner has joined the investigation, however, the recovery of gold ornaments is yet to be effected.

The learned counsel for respondent No.2 opposes the bail application.

Keeping in view of the fact that petitioner has repeatedly joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 07.04.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

29.08.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No