

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

CRM-M -21533 of 2017 (O&M)

Date of decision: 29.11.2017

Manpreet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Viney Saini, Advocate for
Mr. Inder Pal Singh, Advocate for the petitioner(s).

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Sheeshpal.

Mr. Parminder Singh, Advocate
for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.535 dated 17.12.2016, registered under Sections 406, 498-A and 506 of IPC, at Police Station Ambala City, District Ambala.

On 09.06.2017, this Court had passed the following order:-

“Petitioner seeks concession of pre-arrest bail in FIR No.535 dated 17.12.2016, under Sections 406, 498-A and 506 of Indian Penal Code, registered at Police Station Ambala City, District Ambala.

Counsel would submit that the complainant is wife of the petitioner. The marriage relates back to 25.04.2012 and a child was born out of wedlock on 23.09.2013. It is argued that the FIR has been registered on 17.12.2016 against the backdrop of allegations of harassment and cruelty within one year of the marriage i.e. in the year 2012 itself.

A categoric submission has been raised that the petitioner is otherwise ready and willing to re-habilitate the complainant in the matrimonial home.

Notice of motion, returnable for 26.07.2017.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

It is contended that in pursuance of order dated 09.06.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that though the petitioner has joined the investigation, however, the gold articles i.e. istridhan of the complainant was pledged with State Bank of India, Branch Ambala City and the petitioner had raised a loan against the same. The recovery of gold articles has not yet been effected.

Learned counsel appearing on behalf of respondent No.2 opposes the bail petition.

Heard.

Keeping in view the fact that the petitioner has repeatedly joined the investigation, the entrustment and recovery of gold articles is subject matter of the trial, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 09.06.2016, 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.

29.11.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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