

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

CRM-M -2381 of 2016 (O&M)

Date of decision: 24.07.2017

Manjit Singh

...Petitioner

Versus

UT Chandigarh and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Goldy Jakhar, Advocate for the petitioner(s).

Mr. Rajiv Sharma, Addl. PP for UT Chandigarh.

Mr. Satnam Chauhan, Advocate for respondent No.3.

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.06 dated 03.01.2016, registered under Sections 406 and 498-A of IPC, at Police Station Crime against Women Cell, Sector 17, Chandigarh.

On 22.01.2016, this Court had passed the following order:-

“Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case on the basis of general allegations and the dispute between the parties is because of temperamental differences. The main grouse of the complainant is that she is interested in separate accommodation and does not want to remain with the mother of the petitioner and

the petitioner is ready to settle the dispute.

On the oral request made by learned counsel for the petitioner, complainant-Mrs. Manjit Kaur, W/o Manjit Singh, R/o House No. 3093/2, Sector 41-D, Chandigarh is hereby impleaded as respondent No.2.

Registry is directed to make necessary corrections in the memo of parties.

Notice of motion for 1.4.2016.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer subject to deposit of an amount of Rs. 20,000/- with him, which shall further be handed over to the complainant. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioner shall make himself available for interrogation before investigating 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 Court.

Both the parties are directed to remain present in the Court on the next date of hearing.”

It is contended that in pursuance of the order dated 22.01.2016, the petitioner has joined the investigation and has deposited Rs.20,000/- with the Investigating Officer.

The learned State counsel, on instructions submits that the petitioner has complied with order dated 22.01.2016 and he is not

required for custodial interrogation.

Keeping in view the fact that petitioner has repeatedly joined the investigation and substantial recovery has been effected, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 22.01.2016, 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.

24.07.2017

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(JITENDRA CHAUHAN)
JUDGE

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