

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

**CRM-M-23197-2017 (O&M)  
Date of decision: 03.11.2017**

Amit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Ms. Amrita Nagpal, Advocate,  
for the petitioner.

Mr.P.P. Chahar, DAG, Haryana.

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**JAISHREE THAKUR, J. (ORAL)**

This is a petition for grant of anticipatory bail to the petitioner in case FIR No.813 dated 30.09.2016 under Sections 120-B, 419, 420, 423, 466, 468, 471 and 494 of the IPC, registered at Police Station Civil Lines, Karnal.

This Court was pleased to pass the following order on 06.07.2017 :-

*“Heard.*

*Learned counsel for the petitioner urges that the FIR lodged against the petitioner under Sections 120-B, 419, 420, 423, 466, 468, 471 and 494 of the Indian Penal Code is not sustainable, on account of the fact that a divorce had already been obtained in the year 2014 from Smt. Lakshmi, under Section 13-B of Hindu Marriage Act, on the ground of mutual consent and a compromise entered into with Aarti to dissolve the marriage on 16.11.2015. It is urged that Section 494 of IPC could not be invoked by the complainant, while submitting if anybody had grievance, it would be Smt. Aarti, who has*

*not stepped forward. It is argued that no recovered are to be made from the petitioner and he is ready and willing to join the investigation.*

*Notice of motion for 03.11.2017.*

*Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner submits that the petitioner has joined the investigation and he is not required for investigation any further.

Learned counsel for the respondent-State, on instructions from ASI Ramesh Chand, confirms the aforesaid fact.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 06.07.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

**03.11.2017**

*Satyawan*

**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes.  
No.