

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

CRM-M-25826-2014 (O&M)
Date of decision : 08.09.2017

Vivek Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Mandeep S. Sachdev, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Bikramjit Singh.

Mr. R.S. Pandher, Advocate for the complainant.

Parties in person.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.260 dated 06.12.2013, registered under Sections 406, 498-A and 494 of the Indian Penal Code, at Police Station Mataur, Distt. SAS Nagar.

Heard.

On 16.01.2015, the following order was passed:-

“Learned counsel, inter alia, contended that the complainant has lodged the present criminal case against the petitioner, after solemnization of 14 years of their marriage, in order to put pressure and to wreak vengeance. The argument is that moreover the petitioner is ready to amicably settle the disputes with the complainant.

Heard.

Issue notice of motion to the respondent.

At this stage, Mr. J.S. Sekhon, Assistant Advocate General, Punjab, on behalf of the State & Mr. Ramandeep Singh Pandher, Advocate, on behalf of complainant, appear, accept notices and seek time to argue the matter.

Adjourned to 06.02.2015 for arguments, at the request of State/complainant counsel.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of his arrest, the Arresting Officer would admit him to bail on his furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- to his satisfaction.”

Learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial investigation.

On the last date of hearing, an understanding was reached between the parties that the petitioner, who owns two flats, would transfer flat situated at Bengaluru in the name of the complainant-wife, and the other one situated at Mumbai, in the name of the daughters. The petitioner was also directed to file an affidavit in this regard. A duly sworn-in affidavit has been filed in the Court, which is taken on record. However, at this stage, learned counsel for the complainant states that the understanding reached on the last date of hearing has collapsed.

Considering the fact that the petitioner has repeatedly joined the investigation, the challan stand already presented and nothing is to be recovered from him and the complainant has changed stance before this Court, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 16.01.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

08.09.2017
atulsethi

(JITENDRA CHAUHAN)
JUDGE

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