

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

CRM M-31485 of 2017.

Date of Decision: 17.11.2017.

Kuldeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. B.S. Jatana, Advocate,
for the petitioner.

Ms. Anju Arora, Addl. AG Punjab
assisted by HC Sukhpreet Singh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438 Cr.P.C seeking anticipatory bail in case FIR No. 41 dated 10.05.2017 registered under Section 498-A IPC at Police Station Women Patiala, District Patiala.

On 24.10.2017 this Court had passed the following order:-

“The petitioner is directed to appear before the Investigating Officer on 25.10.2017 at 11.30 a.m in concerned Police Station and, thereafter, as and when required by the Investigating agency.

Post again on 17.11.2017.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject

to the following conditions:-

1. That he shall make himself available for interrogation by a police officer as and when required;
2. That 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 and;
3. That he shall not leave India without prior permission of the Court.”

Learned counsel for the petitioner contends that in pursuance of the order dated 24.10.2017, the petitioner has joined the investigation. The petitioner went to the I.O with entire gold articles. However, the same is denied by the I.O.

Learned counsel for the petitioner, on instructions, admits the factum of receipt of Rs.2 lakh. He undertakes to refund the amount and return all the dowry articles including the jewellery. However, the petitioner is not presently employed, therefore, he states that he will make the necessary payment within three months from today.

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

In view of the statement made, the order dated 24.10.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioner to the satisfaction of the

CJM/Duty Magistrate concerned.

In case there is violation of the undertaking made before this Court, the complainant or the State is at liberty to revive the present petition. A sum of Rs.10,000/- lying deposited towards litigation charges be released in favour of the complainant/wife on her making an application in this regard.

The petition stands allowed.

17.11.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No