

**203-A IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No. M-34672 of 2016.

Date of Decision: 01.09.2017.

Varinder Kumar

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. G.S. Sirphikhi, Advocate,
for the petitioner.

Mr. AS Gill, Sr. DAG Punjab.

Mr. Dheeraj Mahajan, Advocate,
for the complainant/respondent No.2.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438
the Cr.P.C seeking anticipatory bail in case FIR No. 116 dated
01.08.2016 registered under Sections 498-A and 406 IPC at Police
Station City Batala, Police District Batala (Gurdaspur).

On 28.09.2016 this Court had passed the following
order:-

“Notice of motion for 08.12.2016.

Meanwhile, the petitioner is directed to join the investigation as
and when called by the Investigating Officer. In the event of her
arrest, she shall be released on bail by the Investigating Officer on
her furnishing bail bonds/sureties to his satisfaction, subject to the
following conditions, as envisaged under Section 438(2) Cr.P.C:-

(i) Petitioner shall make herself available for interrogation by a police officer as and when required;

(ii) 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 them from disclosing such facts to the Court or to any police officer;

(iii) Petitioner shall not leave India without the previous permission of the Court.

(iv) such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”

It is contended that in pursuance of the order dated 28.09.2016, the petitioner has joined the investigation.

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

In view of above, the order dated 28.09.2016 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.

The petition stands allowed.

01.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No