

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

CRM-M-34674-2016

Date of decision: 18.07.2017

Joginder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.A.K. Vermani, Advocate,
for the petitioner.

Mr. A.A. Pathak, Addl. A.G., Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner, who is father-in-law of the complainant, in a case FIR No. 140 dated 02.09.2016 under Sections 406, 498-A, 506 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala.

This Court was pleased to pass the following order on 28.09.2016 :-

“Learned counsel states that the petitioner had returned a sum of Rs.3 lacs and there is a reference in the statement of account and in the Annexure P-2 and also refers to the entries made on 01.06.2015 and 09.06.2015.

On oral request, the petitioner is permitted to implead the complainant as respondent-party. Amended memo of parties be filed and thereafter notice of motion be issued, returnable for 20.01.2017.

Mr. S.S. Goraya, Advocate has put in appearance on

behalf of complainant.

In the meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on bail to the satisfaction of the arresting/investigating officer subject to the conditions laid down in section 438 sub section 2 clauses (i)(ii) and (iii) of the Code of Criminal Procedure.”

Learned State counsel on instructions submits that pursuant to the interim order dated 28.09.2016, the petitioner has joined the investigation and has returned an amount of ₹ 3,00,000/- to the complainant.

Learned counsel for the complainant opposes the confirmation of interim bail granted to the petitioner on the ground that the husband of the complainant has not joined the investigation.

I have heard learned counsel for the parties and have perused the record of the case.

Since the petitioner, who is the father-in-law of the complainant, has joined the investigation and further much prior to the FIR returned an amount of ₹ 3,00,000/- to the complainant the petition is allowed and interim order dated 28.09.2016 is hereby made absolute subject to the condition that the petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation and will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

18.07.2017

Satyawan

Whether speaking/reasoned

Whether reportable

**(JAISHREE THAKUR)
JUDGE**

Yes.

No.