

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

CRM-M-37676-2017 (O&M)

Date of decision : 27.11.2017

Kadar Ali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. NPS Mann, Advocate for the petitioner.

Ms. Anju Arora, Addl.A.G., Punjab
assisted by ASI Bobby Kumar.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in FIR No.94 dated 30.08.2017, registered under Sections 376 and 420 of the Indian Penal Code, at Women Police Station, District Patiala.

Heard.

On 30.10.2017, the following order was passed:-

“Learned counsel refers to Annexures P-3 and P-4 to contend that earlier similar complaints were filed which ended in compromise. An affidavit in this regard (Annexure P-4) was also filed by the complainant. The petition under Section 125 Cr.P.C preferred by the complainant also stands dismissed for non-prosecution on 11.07.2017.

Notice of motion for 27.11.2017.

The petitioner is directed to join the investigation.

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 State counsel, on instructions, submits that in pursuance of the order passed by this Court, though, the petitioner has joined the investigation but the recovery is yet to be effected. She states that an amount to the extent of Rupees eight lakh was also paid to the petitioner, however, she is unable to substantiate the same.

Similar complaints were moved by the complainant earlier also which were ultimately compromised and the petition under Section 125 Cr.P.C. was not pursued by her. The petitioner has joined the investigation in pursuance of the orders passed by this Court.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 30.10.2017, 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.

27.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No