

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

CRM-M -38815 of 2016 (O&M)

Date of decision: 25.07.2017

Ujjwal Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Jaspal Kaur Gurna, Advocate for the petitioner(s).

Mr. A.S. Gill, Sr. DAG, Punjab

Mr. Naresh Kaushik, Advocate
for respondent No.2.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.167 dated 30.08.2016, registered under Sections 354, 354-A, 294, 509, 323 read with Section 34 of IPC, at Police Station Dera Bassi, District SAS Nagar.

On 08.11.2016, this Court had passed the following order:-

“On oral request of learned counsel for the petitioner, the complainant Meenakshi d/o late Shavinder Vaishnav, Caste Pandit, resident of H. No. 990, Ward No. 15, near Pracheen Hanuman Mandir, Derabassi, District S.A.S. Nagar is arrayed as party respondent No.2.

Office is directed to carry out necessary correction in the memo of parties.

Learned counsel for the petitioner contends that no

recovery is to be effected from the petitioner, thus, custodial interrogation is not required. It is also submitted that the petitioner is ready to join investigation.

Learned State counsel seeks time to file reply.

Adjourned to 19.01.2017.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

The learned counsel for the parties state that the matter stands amicably settled before the Mediation & Conciliation Centre of this Court.

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

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 08.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

25.07.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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