

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

CRM-M-39971-2017

Date of decision: 29.08.2017

Jawahar Lal and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Munish Puri, Advocate,
for the petitioners.

Mr. Abhaypal Singh Gill, Asstt. A.G., Punjab.

Mr. Deepak Arora, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (ORAL)

The instant petition under Section 438 Cr.P.C. has been filed by the petitioners for grant of anticipatory bail in case FIR No. 160 dated 11.10.2016 under Sections 498-A, 406, 323, 342, 34 IPC, registered at Police Station City Gurdaspur.

This Court was pleased to pass the following order on 09.11.2016 :-

“Counsel for the petitioners refers to the compromise dated 28.02.2013 (Annexure P-2) which was implemented and son of the petitioner and his wife was staying separately in a rented accommodation.

All the dowry articles remained in that house and the anticipatory bail should not be declined.

On oral request of learned counsel for the petitioners, complainant- Ram Gopal, son of Sham Lal, resident of Quadian Mohalla, H.No. 535/15, Gurdaspur, is impleaded as respondent No.2.

Subject to deposit of ₹ 20,000/- as litigation expenses before the Registry of this Court, notice of motion be issued to the respondents for 27.02.2017.

Meanwhile, the petitioners are directed to join the investigation as and when called by the Investigating Officer. In the event of their arrest, they shall be released on bail by the Investigating Officer on their furnishing bail bonds/sureties to his satisfaction, subject to the conditions mentioned below, as envisaged in Section 438(2) Cr.P.C:-

- i. a condition that the persons shall make themselves available for interrogation by Police Officer as and when required;*
- ii. a condition that the persons shall not, directly or indirectly make any inducement, threat or promise to any persons 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. a condition that the persons 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 was granted under that section.”*

Learned counsel for the respondent-State submits that pursuant to the order dated 09.11.2016, the petitioners have joined investigation.

Since the petitioners have joined the investigation, the petition is allowed and interim order dated 09.11.2016 is hereby made absolute subject to the condition that the petitioners will join the investigation as and when required by the police; will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

29.08.2017

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.