

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-41090 of 2016(O&M)

Date of Decision: 20.2.2017

Davinder Pal Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. B.S.Bali, Advocate
for the petitioner

Mr. Ankur Jain, AAG, Punjab

Rekha Mittal, J.

Counsel for the petitioner has submitted that the petitioner and the alleged victim were residing in Australia and the girl shifted to Australia in the year 2007 and since then, she is in Australia. It is further submitted that the girl has not joined investigation till date and the criminal proceedings have been lodged at the instance of her father as a measure of vengeance, harassment and exploitation. It is further submitted that an enquiry in the matter was conducted by the Superintendent of Police (Headquarter), Patiala and enquiry report (Annexure P-4) was submitted. Further argued that a joint statement was made with regard to return of all the ornaments to Jagir Singh. It is further argued that parents of the petitioner filed a petition seeking quashing of the FIR in which notice of motion has been issued and presentation of challan has been stayed and the case is pending before this Court for 4.4.2017.

Counsel for the State has opposed the prayer for bail with the submission that recovery is yet to be effected.

In view of submissions made by counsel for the petitioner, interim bail granted to the petitioner is made absolute subject to the following conditions:-

- (i) He shall Join the investigation as and when required by the Investigating Officer.
- (ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (iii) He shall not leave the limits of this country without prior permission of the Court.

(Rekha Mittal)
Judge

20.2.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No