

102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43360-2016
Date of decision-21.08.2017

Ranjeet Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. R.S.Bains, Advocate for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab assisted by
ASI Malkeet Singh.

Mr. R.K.Girdhar, Advocate
for the complainant/respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.82 dated 18.10.2016 (Annexure P-1/T) registered under Sections 498-A and 406 of the Indian Penal Code at Police Station Sadar Malout, District Sri Muktsar Sahib.

On 03.12.2016, this Court had passed the following order:-

“Learned counsel, inter alia, contends that wife of the petitioner is suffering from psychiatric problem at an extreme level i.e. Obsessive-Compulsive Disorder (Contamination) and now they have separated and the custody of the minor child, who is 5 years old, is with his wife. He is ready to settle the dispute with the complainant if the matter is referred for amicable settlement.

On oral request of learned counsel for the petitioner, complainant-Gurpreet Kaur daughter of Harbhajan Singh, village Malout, Sadar Malout, District Shri Muktsar Sahib, is impleaded as respondent No.2.

Subject to deposit of `25,000/- as litigation

expenses before the Registry of this Court, notice of motion be issued to the respondents for 07.03.2017.

Meanwhile, the petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his 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 person shall make himself available for interrogation by Police Officer as and when required;*
- ii. a condition that the person 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 person 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 petitioner states that with the intervention of the family members, a compromise is likely to be reached between the parties and the complainant is likely to join the company of the petitioner and further in pursuance of the order dated 03.12.2016, the petitioner has joined the investigation.

The learned State counsel, 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 03.12.2016 is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

However, in case of any breach of the compromise by the

petitioner, the complainant/State shall have the liberty to revive the present petition.

The petition stands allowed.

(JITENDRA CHAUHAN)
JUDGE

August 21, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No