

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

Crl. Misc. M-487 of 2017 (O&M)
Date of Decision: November 07, 2017

Jagdish Chander

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG Punjab.

Mr. Munish Bhardwaj, Advocate
for complainant-respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No.117 dated 27.09.2016, under Sections 498-A, 354, 323, 120-B of the Indian Penal Code (offence under Sections 406, 325 of IPC added later on) registered at Police Station City, Jalalabad (W).

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

Learned State counsel, on instructions from the Investigating Officer, submits that petitioner has joined the investigation and he is not required for the custodial interrogation. It is stated that in fact, a cancellation report has been submitted, which is now pending for 18.11.2017.

In view of the facts that the petitioner is not required for custodial interrogation and a cancellation report has been presented, without commenting on the merits of the case, the petition is allowed and order dated 11.01.2017 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i) (ii) and (iii) of the Code of Criminal Procedure.

At this stage, this court is informed that by an order dated 11.01.2017, the petitioner was directed to deposit a sum of Rs.30,000/- towards litigation expenses to be paid to complainant-respondent No.2 and the same has been deposited.

Counsel for complainant-respondent No.2 submits that at present the complainant is in Canada and is being represented by her power of attorney holder/real brother and even the connected matter bearing CRM No.M-27236 of 2017, which is also fixed for today, has been filed and is being pursued by her power of attorney holder/real brother on her behalf. It is requested that being the power of attorney holder/real brother of complainant-respondent No.2, litigation expenses should be released to him.

Request is allowed.

Litigation expenses so deposited in the instant case be released to Rajinder Rajan s/o Ashok Kumar, who is the power of attorney

holder/real brother of complainant-respondent No.2.

November 07, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No