

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

CRM-M -8578 of 2016 (O&M)

Date of decision: 21.07.2017

Sunny

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vivek Salathia, Advocate for
Mr. Vikas Gupta, Advocate for the petitioner(s).

Mr. A.S. Gill, Sr. DAG, Punjab.
assisted by ASI Satnam Singh.

Mr. Rahul Bhargava, 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.11 dated 09.02.2016, registered under Sections 406 and 498-A of IPC, at Police Station Women, District Amritsar.

On 11.03.2016, this Court had passed the following order:-

“Learned counsel for the petitioner states that the petitioner had agreed to return the gold items but on his failure to do so, his application for grant of anticipatory bail was dismissed.

Notice of motion, returnable by 19.05.2016.

Petitioner is directed to join the investigation and he would hand over all the articles within a fortnight to the police and if he is sought to be arrested, he shall be released on interim bail to the

satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 sub Section 2 Clause (i)(ii) and (iii) of the Code of Criminal Procedure.”

It is contended that in pursuance of the order dated 11.03.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that though the petitioner has joined the investigation, however, certain recovery of gold articles are yet to be effected.

The learned counsel for respondent No.2 states that the petitioner has not returned the gold articles.

Keeping in view the fact that the petitioner has repeatedly joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.03.2016, 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.

21.07.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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