

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

CRM-M -706 of 2017 (O&M)
Date of decision: 14.07.2017

Jarnail Pal @ Jarnail Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K. Arya, Advocate for
Mr. S.K. Chaudhary, Advocate for the petitioner(s).

Mr. N.K. Banka, DAG, Punjab
assisted by ASI Kamal Kishore.

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.38 dated 31.08.2016, registered under Sections 406 and 498-A of IPC, at Police Station Sadar, District Pathankot.

On 23.01.2017, this Court had passed the following order:-

“Learned counsel, inter alia, contends that the petitioner is seeking anticipatory bail on the ground that the list of dowry articles provided by the complainant is exaggerated and false one.

Notice of motion for 27.03.2017.

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.”*

It is contended that in pursuance of the order dated 23.01.2017, 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 household articles like washing machine, sewing machine etc., are yet to be effected.

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 23.01.2017, 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.

14.07.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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