

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

CRM-M -7737 of 2017 (O&M)

Date of decision: 24.08.2017

Karnail Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Madan Lal Saini, Advocate for the petitioner(s).

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by HC Pavmesh Kumar.

None 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.15 dated 09.02.2017, registered under Section 498-A of IPC, at Police Station Sadar Nawanshehar, District SBS Nagar.

On 08.03.2017, this Court had passed the following order:-

“Counsel for the petitioner inter alia contends that there is no specific allegation levelled against the petitioner with regard to any cruelty or harassment in connection with demand of dowry. The passport, school certificate, Aadhar Card, etc. have already been returned during enquiry by the Deputy Superintendent of Police on the first complaint made by the girl in which allegations levelled by the complainant

were found to be without any basis. Though the petitioner has filed the petition for divorce but he is not averse to the idea of resuming cohabitation or parting ways on payment of reasonable amount towards permanent alimony, etc. if the complainant is called upon to sit across the table and have mutual parleys.

On oral request made by counsel for the petitioner, the complainant is ordered to be impleaded as a party/respondent No.2.

Amended memo of parties be filed in the Registry.

Notice of motion for 31.05.2017.

Mr. Ankur Jain, AAG, Punjab accepts notice on behalf of the respondent.

In the meantime, the petitioner is directed to join investigation within 10 days and he shall be released on interim bail subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of the Court.*

Upon needful being done, notice to respondent No.2 be issued for the date fixed.”

It is contended that in pursuance of the order dated 08.03.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions 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 08.03.2017, 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.

24.08.2017

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(JITENDRA CHAUHAN)
JUDGE

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