

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

CRM-M-9678-2017 (O&M)

Date of decision : 12.12.2017

G. Dhananjay Rao

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Varun Issar, Advocate,
for Mr. Kiran Kumar, Advocate,
for the petitioner.

Ms. Anju Arora, Addl.A.G., Punjab,
assisted by ASI Jagjeet Singh.

Mr. Gautam Kailey, Advocate,
for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in FIR No.134 dated 11.10.2016, registered under Sections 406 and 498-A of the Indian Penal Code, at P.S. Women Cell, Jalandhar.

Heard.

On 22.03.2017, the following order was passed:-

“Subject to deposit of ₹30,000/- as litigation expenses before the Registry of this Court, notice of motion be issued to the respondents for 12.05.2017.

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 informs that a demand draft for the amount of ₹1.80 lakh in terms of order dated 19.09.2017, has been prepared in favour of The Registrar of this Court. A copy thereof is taken on record as Mark 'A'. The same be deposited with the Registry. It is further submitted that the petitioner has repeatedly joined the investigation.

The said amount of ₹1.80 lakh be released in favour of respondent No.2 on her making an application in this regard.

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, though the petitioner has joined the investigation, but a part of the recovery is yet to be effected.

Keeping in view the facts that the amount of ₹1.80 lakh has already been returned by the petitioner and he 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 22.03.2017, is made

absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

12.12.2017
atulsethi

(JITENDRA CHAUHAN)
JUDGE

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