

Criminal Misc. No. M- 46344 of 2017 (O&M)

Date of decision : February 19, 2018

Harinder Singh

.....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Maninder Arora, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

Mr. Paras Talwar, Advocate
for respondent No. 2.

LISA GILL, J.

This is the petitioner's second petition seeking anticipatory bail in FIR No. 63 dated 17.05.2016 under Sections 497, 498A, 406, 324, 323, 506, 34 IPC registered at Police Station City, Gurdaspur.

The petitioner's first petition was dismissed by this Court on 01.11.2017 (CRM-M-22021-2016) wherein it is specifically observed that though the petitioner had earlier stated that he was ready and willing to submit FDRs to the tune of ₹1,50,000/- in favour of his two minor children to show his bona fides, he was not willing to deposit the said amount. The petitioner approached the Hon'ble Supreme Court against said order dated 01.11.2017, which was disposed of on 24.11.2017 wherein it is observed that in the event of the requirements of payments under the impugned order dated 01.11.2017 are complied with by the petitioner, he may approach this Court afresh. Accordingly, this petition has been filed.

FDRs to the tune of ₹1,50,000/- each in favour of two minor children with the complainant – wife as a guardian have already been

handed to the complainant. Photocopies of the same produced in Court today are taken on record subject to just exceptions. It is further submitted that the maintenance assessed by the court of competent jurisdiction is being paid regularly and the petitioner undertakes to deposit the same regularly in future as well. Learned counsel for the petitioner submits that marriage between the petitioner and the complainant took place in the year 2002. No offence punishable under Sections 497, 498A, 406, 324, 323, 506, 34 IPC is made out against the petitioner. It is, thus, prayed that this petition be allowed.

Learned counsel for respondent No. 2 verifies that the said FRDs have been received by respondent No. 2 and the amount of maintenance is indeed being paid by the petitioner.

Learned counsel for the State, on instructions from ASI Raj Masih, verifies that the petitioner has joined investigation and is not required in any other criminal case.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. In the event of his arrest, petitioner shall be released on bail to the satisfaction of Investigating Officer/ Arresting officer. He shall appear before the Investigating agency as and when required. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

February 19, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No