

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-14927-2019

Date of Decision: 20.11.2019

Agam Chatrath

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Bhriugu Dutt Sharma, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Ms. Jaspreet Kaur, Advocate for  
Mr. Mandeep S. Sachdev, Advocate  
for the complainant.

...

**Manoj Bajaj, J. (Oral)**

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in a case FIR No.34 dated 16.03.2019, under Sections 406 and 420 IPC, 1860 read with Section 66-C of the Information Technology Act, 2000, registered at Police Station Division No.4, District Jalandhar.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 01.04.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the FIR was got registered on the statement of the wife with whom the petitioner having matrimonial dispute. It is pointed out that the allegations are*

*regarding withdrawal of the amount from the account belonging to the wife by the husband by using the password required to operate the account.*

*According to him, it is seriously debatable whether the Password can be used without the knowledge of the complainant. Besides, the alleged amount stood withdrawn in the year 2017, whereas the FIR was got registered on 16.03.2019.*

*Notice of motion for 03.05.2019.*

*At this stage, Mr. M.S. Sachdev, Advocate has put in appearance on behalf of the complainant and has filed his vakalatnama in Court.*

*In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer. Learned counsel for the petitioner further states that however the attempt of settlement before the Mediation & Conciliation Centre of this Court had failed, but subsequently, the parties have amicably settled the dispute.

Learned State counsel who is assisted by SI Basant Singh does

not dispute this fact that the matter has been amicably settled between the parties and the petitioner has joined the investigation. Learned counsel on instructions from SI Basant Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.04.2019 is made absolute.

20.11.2019  
*Jasmine Kaur*

(MANOJ BAJAJ)  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |