

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-30927 of 2017

Date of Decision: 21.05.2019

Hardeep Singh

...Petitioner(s)

Versus

State of Haryana & another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Inderjit Sharma, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Mr. B.S. Dhillon, Advocate
for respondent no.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.107 dated 25.07.2018 under Sections 354-A/406/498-A/506 IPC registered at Police Station Women, Police Station Ambala, District Ambala.

Counsel for the petitioner has produced photocopies of FDRs transferred in the name of Gurnoor Singh and Rattanpreet Singh, who are grandsons of the petitioner. He states that the petitioner has joined the investigation and his custodial interrogation is no more required.

Counsel for the complainant does not dispute the FDRs in the names of Gurnoor Singh and Rattan Preet Singh, in the sum of

Rs.1,00,000/- each. However, he submits that recovery gold is yet to be effected from the petitioner.

Learned State counsel does not dispute the fact that the petitioner has joined the investigation. However, she submits that considering the nature of allegations in the FIR, recovery of gold is yet to be effected from the petitioner.

I have heard learned counsel for the parties.

The present FIR has been registered on 25.07.2017 whereas the complainant – Satwinder Kaur has solemnized marriage with Harvinder Singh (son of the petitioner) on 08.12.2006. This Court vide order dated 24.08.2017 has stayed the arrest of the petitioner so as to facilitate the mediation. However, no amicable settlement could be arrived at in the mediation. Considering the fact that the marriage of Harvinder Singh (son of the petitioner) and the complainant was solemnized on 08.12.2006 and the FIR in question was registered on 25.07.2017 and the petitioner, who is father-in-law, has joined the investigation, argument of counsel for the State as well as the complainant that recovery of gold is yet to be effected, cannot be a ground to decline bail to the petitioner.

Accordingly, the present petition is allowed and the interim order dated 24.08.2017 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

May 21, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No