

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-39295-2018

Date of Decision:04.02.2019

Kapil Sehgal

.....Petitioner

Versus

State of Punjab

.....Respondent

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

**Present: Mr. Atul Goyal, Advocate,
for the petitioner.**

Mr. Jagmohan Ghumman, D.A.G., Punjab.

**Ms. Bhavna Kapur, 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 FIR No.192 dated 03.08.2018 under Sections 406, 498-A IPC, registered at Police Station City Kapurthala, District Kapurthala.

Power of attorney filed on behalf of respondent No.2 in Court today, is taken on record.

Learned counsel for the petitioner states that pursuant to the order dated 10.09.2018 passed by this Court, petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Kuldeep Singh, does not dispute the aforesaid fact and states that the custodial interrogation of the petitioner is no more required at this stage.

I have heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is no more required, present petition is allowed and the interim bail granted to the petitioner vide order dated 10.09.2018 is made absolute.

So far as the argument of learned counsel for respondent No.2 states that recovery is to be effected from the petitioner, the same would be adjudicated during the course of trial.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

Since the petitioner is having the custody of two minor children, the complainant would be allowed to meet the children once in a month preferably on Sunday (i.e. on 2nd Sunday of every month) from 12.00 PM to 03.00 PM at Hotel Ramada, Kapurthala. But in case there is any dispute regarding this arrangement, the parties would be at liberty to seek necessary direction from this Court by moving appropriate application in the case.

February 04, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No