

CRM-M-49576-2018

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

CRM-M-49576-2018 (O & M)

Date of Decision: 23.01.2019

Parveen Gautam

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mohit Jaggi, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

CRM-39758-2018

Allowed as prayed for, subject to all just exceptions.

CRM-M-49576-2018

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.263 dated 18.10.2018, registered at Police Station Civil Lines, Patiala, under Sections 406 and 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

CRM-M-49576-2018

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per the prosecution version, complainant, a divorcee, was in live-in-relationship with the petitioner. There is allegation that during the said period, the petitioner had embezzled ₹1.5 lakhs in cash and gold articles worth ₹3 lakhs of the complainant.

In pursuance of the interim order dated 08.11.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 08.11.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

23.01.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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