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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.32096 of 2019 (O&M)
Date of Decision.20.02.2020

Awais Ansari

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Naveen Sheokand, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Mr. R. Kartikeya, Advocate
for the complainant.

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JAISHREE THAKUR J. (ORAL)

CRM-6435-2020

The miscellaneous application is allowed as prayed for.
Section 420 IPC is permitted to be added in the head-note as well as prayer
clause of the bail petition. Registry to do the needful.

Documents annexures P14 and P15 are permitted to be taken on
record.

CRM-M No.32096 of 2019

1. The instant petition has been filed under Section 438 read with
Section 482 Cr.P.C. for grant of anticipatory bail to the petitioner in case
FIR No.54 dated 24.08.2018 registered under Sections 406, 498A IPC
(Section 420 IPC added later on) at Police Station Women Police Station,

District Panchkula.

2. During the proceedings of this case a Look Out Circular had been issued against the petitioner herein on account of the fact that he did not put in appearance before the Investigating Officer. The petitioner has put in appearance and has joined investigation on 27.01.2020 on the directions of this Court.

3. Learned counsel for the petitioner inter alia contends that the marriage between the parties was solemnized on 23.11.2010 and thereafter the parties left India and settled abroad, where certain proceedings are already pending between them. It is contended that the present case has been registered after a period of 10 years and the proceedings here are not sustainable since no offence has been committed here in India. It is also argued that during the time, the parties resided in India there was no complaint that had been filed on behalf of the complainant.

3. The petitioner on appearance before this Court was directed to join investigation and as per Head Constable Parveen, the petitioner has joined the investigation on 27.01.2020. On the last date of hearing, a contention had been raised by the counsel for the complainant that certain transactions had taken place between the petitioner and the mother of the complainant, wherein she had transferred money into the account of petitioner herein, which money was yet to be recovered. This Court had directed the petitioner herein to appear and show that the amount had been refunded as stated by him. It appears that the petitioner did put in appearance before the Investigating Officer and was able to establish that he had transferred an amount of \$10,000/- besides an amount of Rs.1,40,000/-

into the account of complainant.

4. Be that as it may, without going into any further details, the petitioner herein having already joined investigation, his custodial interrogation would not be required. Interim bail as granted to him can be confirmed.

5. The instant petition is accordingly allowed and the order dated 21.08.2019 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C. The Look Out Circular would also stand cancelled.

6. Any observations that have been made herein are only for the purpose of allowing bail to the petitioner and would not be construed as observations on the merits of the case.

(JAISHREE THAKUR)
JUDGE

February 20, 2020
manju

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