

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

CRM-M-7880-2022

Date of Decision: 24.05.2022

Dilsher Singh @ Partap Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Prathula Sethi, Advocate
for Mr. Rahul Bhargava, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

Ms. Srishti Shukla, Advocate
for the respondent No. 2/complainant.

VIVEK PURI J.

On 24.02.2022, following order was passed:

"Petitioner is seeking anticipatory bail in case bearing FIR No.254 dated 04.12.2021 under Sections 406 and 498-A IPC registered at Police Station Goindwal Sahib.

Learned counsel for the petitioner contends that vague and false allegations have been levelled against the petitioner with regard to demand of car. Furthermore, the parents of the petitioner have already been granted pre-arrest bail by the Court of Session. It has been further stated that the petitioner is willing and ready to amicably settled the dispute.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab, accepts notice on behalf of the respondent-State.

Ms. Srishti Shukla, Advocate, also accepts notice on behalf of the complainant and seeks time to file vakalatnama and get instructions as to whether the complainant is interested to amicably settled the dispute or

not.

Adjourned to 24.05.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure. "

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation and no article or *ishtridhan* is in his custody.

The learned State Counsel on the instructions of ASI Kanwaljeet Singh submits that petitioner has joined the investigation and custodial interrogation of the petitioner is not required.

Learned counsel for the complainant contends that some jewellery articles are to be recovered.

The controversy as to whether any jewellery articles or *ishtridhan* was entrusted to the petitioner and has been misappropriated will be a debatable point during the course of the trial. The petitioner has joined the investigation and his custodial interrogation is not required. As such sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

Accordingly, order dated 24.02.2022, vide which the petitioner has been granted interim bail, is made absolute. Petition is allowed.

24.05.2022
Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No