

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(208)

CRM-M-48411-2021
Date of Decision: 16.08.2022

Paramjeet Singh @ Param

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. F.S. Virk, Advocate for the petitioner.

Ms. Sakshi Bakshi, A.A.G., Punjab.

Complainant/respondent no.2 in person with
Ms. Swati Batra, Advocate for respondent no.2.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No.62 dated 3.9.2021 registered under Sections 406 and 498-A IPC at Police Station, Women Cell, Patiala.

By virtue of the order dated 18.11.2021 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 18.11.2021 petitioner has joined investigation and has fully cooperated with the same. He submits that a civil suit for permanent injunction has already been filed by respondent no.2 against the petitioner and his family members.

The complainant/respondent no.2 is present in person and submits that passport of the petitioner may be impounded as there is an apprehension that he can leave India during the pendency of this case.

Learned State counsel has endorsed the fact that petitioner has joined investigation, however, recovery of some of the gold articles is yet to be effected.

After hearing both the sides, it is apparent that petitioner has joined investigation. There is a civil litigation pending between the parties. The interim protection granted to the petitioner is subject to the conditions enumerated under Section 438(2) Cr.P.C. State is legally bound to ensure the compliance of the conditions of the interim protection granted to the petitioner.

In view of the above, the order dated 18.11.2021 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

16.08.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No