

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

212

CRM-M-16198-2022

Date of Decision: 24.04.2023

Navjot Singh

...Petitioner

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Ashish Aggarwal, Advocate for the petitioner

Mr. Vipin Pal Yadav, AAG, Punjab

Ms. Bhagyashri Advocate for

Mr. Kishan Garg, Advocate for respondent No.2

JAGMOHAN BANSAL, J. (ORAL)

1. On 01.06.222, the following order was passed:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in case FIR No.96 dated 14.10.2021, registered for offences under Sections 498-A, 506 and 427 of the Indian Penal Code, 1860, at Police Station Mehta, District Amritsar Rural, Annexure P-1.

Counsel for the petitioner contends that FIR, Annexure P-1, has arisen out of a matrimonial discord. He submits that it is a thirteen year old marriage and there are two children out of the wedlock, who were staying with the complainant-respondent No.2. Still further, he submits that the amount of Rs.30,000/- as directed by this Court vide order dated 25.04.2022 will be deposited with the Area Magistrate.

List on 23.09.2022.

The petitioner shall appear before the Investigating Officer and join investigation and would appear as and when called by him. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

The petitioner will deposit the amount of Rs.30,000/- with the Area Magistrate within a period of four weeks from today. The amount be disbursed to the complainant on her moving an application as the amount has ordered to be deposited to enable her to meet travelling and litigation expenses.”

2. Learned State counsel submits that petitioner has joined investigation and no custodial interrogation is required.

3. In view of the above facts and circumstances, the petition is allowed and the interim bail granted to the petitioner vide order dated 01.06.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

4. If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

24.04.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>