IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

204 **CRM-M-18158-2021**
Date of Decision: 20.01.2023

Sachin Jain **…Petitioner**

Versus

State of Punjab **…Respondent**

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Navkiran Singh, Advocate for the petitioner

Mr. Amish Sharma, AAG, Punjab
(assisted by L/ASI Bhagwati)

Mr. Sunil Saharan, Advocate for complainant

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JAGMOHAN BANSAL, J. (Oral)

By order dated 29.04.2021, notice of motion was issued and arrest of the petitioner was stayed. The parties were directed to appear before Mediation and Conciliation Centre of this Court.

The parties appeared before Mediation and Conciliation Centre of this Court, however, mediation could not be fructified.

On 23.08.2022, the following order was passed:-

"Learned counsel for both the parties have submitted that the good offices rendered by them for effecting amicable settlement between the parties could not bear fruit.

Learned State counsel submits that in the instant case, the arrest of the petitioner has been stayed and he is yet to join the investigation.

Learned counsel for the petitioner has stated that the marriage of the petitioner was solemnized with the complainant in the year 2008 and two children have been born from the wedlock. Petitioner had been facilitating the education of the complainant after her marriage while she was

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pursuing MBA. Furthermore, he had been depositing amounts over the period of time in the account of the complainant.

Adjourned to 19.10.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C."

Learned State counsel, on instructions from L/ASI Bhagwati, submits that petitioner has joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 23.08.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C

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

20.01.2023
Mohit Kumar

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

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