

204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31234-2023
Date of Decision: 11.10.2023

SATNAM SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

Mr. Amit Arora, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in case bearing FIR No. 45 dated 03.06.2023 under Sections 498-A, 406 IPC registered at Police Station Verowal, District Tarn Taran.

2. On 27.06.2023, following order was passed by the Co-ordinate Bench:

“The learned counsel representing the petitioner inter alia contends that on account of marital discord between the petitioner and his wife, a false case under Section 498-A, 406 IPC has been registered with totally vague allegations.

Notice of motion.

Mr. Deepanjay Sharma, DAG, Punjab., accepts notice on behalf of the State.

Mr. Amit Arora, Advocate has entered appearance on behalf of the first informant.

Adjourned to 03.08.2023.

In the meantime, in the event of arrest, the petitioner shall be released on the interim bail subject to furnishing

personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

3. Subsequently on 03.08.2023, the matter was referred to the Mediation and Conciliation Center of this Court to explore the possibility of amicable settlement. As per the report, successful mediation could not be held between the parties.

4. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation and is not in possession of any article of *Istridhan*.

5. Learned State counsel, on instructions from ASI Baljinder Singh, has submitted that the petitioner has joined the investigation and recovery of 8 tolas of golden jewellery and one motor-cycle is yet to be effected. Moreover, on account of non-recovery, Section 201 IPC has also been added.

6. Learned counsel for the complainant has also opposed the bail application on the score that recovery is yet to be effected.

7. The controversy as to whether the articles of *Istridhan* were entrusted to the petitioner and have been misappropriated by him will be a debatable and moot point during the course of trial. The petitioner has joined the investigation in pursuance of the interim directions issued by this Court. Moreover, the offence under Section 201 IPC has been added only on the score that recovery has not been effected as the petitioner has not got recovered the articles of *Istridhan*.

8. Considering above, the petition is allowed and the interim bail

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granted by this Court vide order dated 27.06.2023 is made absolute.
However, it is made clear that this order shall also be construed to have
been passed with regard to the commission of offence under Section 201 IPC.

11.10.2023

Janki

(VIVEK PURI)
JUDGE

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