

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
204

CRM-M-46559-2022

Date of Decision: 19.07.2023

Tarunpal

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Nikhil Chopra, Advocate for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

Mr. A.S. Manaise, Advocate for the complainant.

NIDHI GUPTA, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 124 dated 21.05.2022 registered under Sections 498-A and 406 IPC at Police Station Civil Lines Batala, District Batala.

On 06.10.2022, this Court had passed the following order :-

“Petitioner prays for grant of pre-arrest bail in FIR No.124 dated 21.05.2022 registered under Sections 498-A/406 IPC at Police Station Civil Lines Batala, District Batala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the instant case by his wife by levelling vague and general allegations regarding demand of dowry. He further contends that the petitioner is a government employee in Jaipur Vidut Vitran Nigam Limited and is likely to loose his job, in case he is sent behind bars. He next contends that a male child was also born out of the wedlock on 24.09.2018 and the wife of the petitioner was never harassed by him. He further submits that the petitioner is ready to settle the dispute with his wife amicably and matter may be referred to the Mediation and Conciliation Centre. He also contends that certain gifts handed over to him at the time of marriage will

be returned to the complainant.

On the oral request made by the learned counsel for the petitioner, Dupinder Kaur wife of Tarunpal Singh, resident of Batala, Punjab, is impleaded as party respondent No.2. Office is directed to carry out necessary amendment in the memo of parties.

Notice of motion.

Mr. Amit Rana, Sr. DAG, Punjab, accepts notice on behalf of respondent No.1.

ASI Palvinder Singh, who is present in Court, is directed to inform newly added respondent No.2 about the pendency of the present bail petition.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 18.10.2022.

The petitioner is also directed to pay a sum of Rs.10,000/- in the shape of Demand Draft in favour of the newly added respondent No.2 before the Mediation and Conciliation Centre on the date fixed towards travelling and other miscellaneous expenses.

List on 17.01.2023.

In the meantime, the petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on interim pre-arrest bail to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

- (i) that the petitioner shall furnish bail bonds/surety bonds to the satisfaction of Arresting Officer/Investigating Officer;*
- (ii) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- (iii) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iv) that the petitioner shall not leave India without prior permission of the Court;*
- (v) that the petitioner shall comply with all the conditions as envisaged under Section 438(2) Cr.P.C.”*

Learned State counsel, on instructions from Sub Inspector Harpal Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and partial

recovery has been made from him. However, still some gold ornaments are yet to be recovered from him.

Learned counsel for the petitioner submits that in para 7 of the petition it has categorically been stated that the complainant had left the matrimonial home on her own, without informing anybody and had also taken away the jewellery with her.

Learned counsel for the complainant vehemently disputes the aforesaid submission.

Be that as it may, the order dated 06.10.2022 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case, at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

19.07.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No