

211-C

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49628-2022 (O&M)
Date of Decision : 18.07.2023

Hemant JainPetitioner

VERSUS

State of PunjabRespondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Gautam Dutt, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

Mr. Sachin Kalia, Advocate for
Mr. R.S. Bajaj, Advocate for the complainant.

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ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.59 dated 11.05.2022 registered under Sections 323, 342, 354-B, 506, 498-A, 34 (Sections 406, 409, 420, 201, 120-B IPC added later on) of the Indian Penal Code, 1860 at Police Station Division No.1, District Jalandhar City.

2. On 27.10.2022 the following order was passed :

*“Petitioner is seeking anticipatory bail in the case
bearing FIR No.59 dated 11.05.2022 under Sections
323, 342, 354-B, 506, 498-A, 34 (Sections 406, 409,*

420, 201, 120-B IPC added later on) of the Indian Penal Code, 1860 registered at Police Station Division No.1, District Jalandhar City .

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused on the allegations that he has facilitated the operation of the locker without making entry in the relevant record of the Bank by the parental family members of Aditya Vinayak, the husband of the complainant. The petitioner has no role in the matrimonial dispute of Aditya Vinayak and the complainant. Furthermore, the co-accused have been granted interim bail and the matter has been referred to mediation.

Notice of motion.

Mr. Hittan Nehra, Addl. A.G., Punjab accepts notice on behalf of the respondent – State.

To be heard along with CRM-M-45885-2022 on 14.02.2023.

Meanwhile, it is directed that the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of

Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Learned counsel for the petitioner would contend that the petitioner has since joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Rakesh Kumar, states that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 27.10.2022 is made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

July 18, 2023
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO