

**Sr. No.205****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-4-2024 (O&M)****Date of decision: 22nd November 2024****ARVINDER SINGH****.....Petitioner****versus****STATE OF PUNJAB****.....Respondent****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. H.S. Sitta, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

None for the complainant.

HARPREET KAUR JEEWAN, J. (ORAL)**IOIN-CRM-34480-2024**

The present application stands disposed of with the observation that the FDR is ordered to be returned to the petitioner upon proper receipt and due identification.

Main case

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.89 dated 13.10.2023, under Sections 406, 498-A IPC, 1860, registered at Police Station Women, District S.A.S. Nagar (Annexure P-1).

2. On 05.09.2024, following order was passed by this Court:-

“xxx xxx xxx xxx

Learned counsel for the complainant has supplied the particulars of the bank account details of the child to the learned counsel for the petitioner.

Adjourned to 24.10.2024.



In the meanwhile, the petitioner is directed to join investigation within 15 days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) 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.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.

In case, the petitioner fails to comply with the undertaking recorded in the order dated 03.01.2024 to deposit Rs.5 lakhs within 10 days from today, the present order shall stand automatically vacated.”

3. As per the order dated 03.01.2024, the petitioner was directed to deposit a sum of ₹5,00,000/- in the name of the minor child and he was further directed to join the investigation.

4. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the aforesaid order dated 05.09.2024.

5. Learned State counsel, upon instructions from ASI Lakhwinder Kaur, has confirmed that the petitioner has joined investigation and he is not required for further custodial interrogation.

6. Today, there is no representation on behalf of the complainant.

7. As per the order dated 08.11.2024, the contentions of learned counsel for the petitioner were recorded that the petitioner had deposited a sum of ₹5,00,000/- in the account of the minor child, in compliance of the order dated 03.01.2024.

8. The petitioner has joined investigation in compliance of the



the Investigating Agency. The allegations and the counter-allegations *inter se* the parties are a matter of trial.

9. Keeping in view the above facts and in view of the reasons recorded in the order dated 05.09.2024, the present petition is allowed and the order dated 05.09.2024, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

10. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

11. Liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., or upon showing any other sufficient cause.

12. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

22nd November 2024
simran

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