

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-469-2024 (O&M)
DATE OF DECISION : 07.03.2024

TEJINDER SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. APS Chhibber, Advocate for the petitioner.

Mr. Adesh Pal Singh, A.A.G., Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. On 16.01.2024 following order was passed:

“xxxx The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No. 86 dated 07.10.2023, under Sections 498-A and 406 and 326 IPC, registered at Police Station Women, District SAS Nagar Mohali.

Learned counsel for the petitioner inter alia contends that the present case was registered at the instance of wife of the petitioner on false allegations whereas, minor child is in the custody of the petitioner. Petitioner has filed a petition under Section 9 of the Hindu Marriage Act, 1955, in the Family Court at Ludhiana, which is now pending for 02.02.2024 and the complainant-wife has already put in appearance in the said petition.

Notice of motion.

Mr. Jaspal Singh Guru, AAG, Haryana appears and accepts notice on behalf of the State.

Adjourned to 07.03.2024.

In the meanwhile, the petitioner is directed to join investigation within one week and in the event of arrest, he shall be released on interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilqa Magistrate, subject to the following conditions. xxxx”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the order passed by this Court.

4. Learned State counsel has confirmed that the petitioner has joined investigation. However, it is contended that recovery of the gold ornaments have not been effected.

5. Learned counsel for the petitioner contends that the petitioner is not in possession of the gold ornaments. However, the custody of the minor child is with the petitioner and he is taking care of the minor child as well and has filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights.

6. In view of the aforesaid facts and the reasons recorded in the order dated 16.01.2024 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 16.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

07.03.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*