

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26487-2023
Date of decision: 16.01.2024

JOGA SINGHPetitioner

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Varun Goyal, Advocate for
Mr. Amardeep Singh Gill, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. T.S. Gill, Advocate for
Mr. Varun Goyal, Advocate
for the complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.73 dated 01.08.2022, under Sections 406 and 498-A IPC (Section 354-A IPC added later on), registered at Police Station Women Cell, District Police Commissionerate, Jalandhar Rural (Annexure P-1).

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is the father-in-law of the complainant and he is 57 years of age. The son of the petitioner namely Harjit Singh i.e. husband of the complainant, left for Italy in September 2011 after solemnization of his marriage with the complainant on 26.07.2009. Even after filing of the bail application before the Additional Sessions Judge, Jalandhar, the petitioner joined investigation and fully cooperated with the Police and got recovered some gold ornaments. He further contends that the

SIMRANDEEP KAUR
2024.01.19
petitioner
I attest to the accuracy and
integrity of this order/judgment.

DEEP KAUR
 9. The petitioner again joined investigation after interim order dated 05.07.2023 was

passed by the Coordinate Bench. The petitioner again joined investigation in pursuance to the order dated 22.09.2023, passed by the Coordinate Bench and got recovered a gold “*karha*”.

3. Learned State counsel has confirmed the factum of joining of investigation by the petitioner and the recovery of gold “*karha*” and he contends that the petitioner is no more required for custodial interrogation.

5. The counsel appearing on behalf of the complainant contends that the gold “*karha*” recovered from the petitioner is different from what was given to him during the marriage.

6. The allegations and counter-allegations between the petitioner and the complainant are a matter of trial. In view of the reasons recorded in the order dated 05.07.2023 and keeping in view the fact that the petitioner has joined investigation and his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 05.07.2023, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

7. All the pending miscellaneous applications, if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

16.01.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No