

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-45633-2023(O&M)
Date of Decision: 06.05.2024

GOBIND SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Tarun Seth, Advocate for
Mr. Abhinandan Jindal, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

Mr. Karandeep, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

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.6 dated 20.07.2023 registered under Sections 498-A, 406 IPC at Women Police Station Sangrur, District Sangrur.
2. Learned counsel for the petitioner *inter alia* contends that the present FIR was registered due to a matrimonial dispute between the parties. He further contends that the petitioner had joined the investigation in pursuance to the order dated 29.09.2023 passed by the Coordinate Bench of this Court.
3. On 29.09.2023, the Coordinate Bench of this Court passed the

following order:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.6 dated 20.07.2023 under Sections 498-A, 406 of the Indian Penal Code, 1860 registered at Police Station Women Police Station Sangrur, District Sangrur.

Learned counsel for the petitioner, at the outset, would contend that the petitioner is willing to settle the matter as also to return all the istridhan articles lying with him. The learned counsel further prays that on his oral request the complainant be added as respondent No.2 in the present case. On the basis of oral request of learned counsel for the petitioner, the complainant is added as respondent No.2. Necessary corrections in the memo of parties be carried out by the Registry.

Notice of motion.

Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of respondent-State of Punjab. Let notice be issued to respondent No.2 returnable 15.12.2023.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

4. Learned counsel for the complainant has opposed the bail petition on the ground that recovery is yet to be effected from the petitioner.

5. In compliance of the order dated 15.12.2023 passed by the Coordinate Bench of this Court, learned counsel for the petitioner has produced a demand draft bearing No.477959 dated 28.02.2024 amounting to Rs.30,000/-, which has been accepted by learned counsel for the complainant. Copy of the said demand draft has been submitted in the Court today, which is taken on record.

6. Learned counsel appearing on behalf of the respondent-State on instructions from ASI Gurdev Kaur confirms that the petitioner has joined the investigation. She has informed that some gold ornaments have been recovered from the petitioner.

7. Keeping in view the reasons recorded in the order dated 29.09.2023 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 29.09.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

8. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
9. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)

JUDGE

06.05.2024

P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No