

CRM-M-20042-2014 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-20042-2014 (O&M).
Decided on: February 9, 2015.**

Satbir Singh and another

..... Petitioner(s)

Versus

State of Haryana

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Bikram Chaudhary, Advocate,
for the petitioners.**

Mr.M.S.Sidhu, Addl. A.G., Haryana.

**Mr.Sanjay Vashishat, Advocate,
for the complainant.**

M.M.S. BEDI, J (ORAL)

No compromise could be arrived at for parting company on payment of any lump sum amount. The petitioners are father-in-law and mother-in-law of complainant Meenu who was married to Yogender on 28.6.2010. There are allegations of beatings and demand of cash against the petitioners and on account of complainant having not been able to meet the demands, she was tortured and harassed. There are allegations that petitioner No.1 had made an attempt to rape the complainant on 22.11.2013. Petitioner No.2 is stated to be in possession of gold ornaments belonging to the complainant.

Counsel for the complainant as well as the State counsel has vehemently urged that 13 jewellery articles and cash

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received by the petitioners is yet to be recovered.

On the other hand, counsel for the petitioners has submitted that husband after arrest has been granted the concession of regular bail and that the petitioners are not in possession of any article.

I have heard the learned counsel for the petitioners, learned counsel for the complainant as well as the learned State counsel.

So far as the allegation of attempt to rape is concerned, as per the investigation conducted till date no sufficient material appears to have been gathered in that context but it appears that the petitioners are in possession of stridhan including jewellery of the complainant. Since the petitioners are father-in-law and mother-in-law having stayed in the shared household, they would be deemed to be in possession of the articles which are mentioned in the FIR. Few recoveries no doubt have been effected but the expensive articles like jewellery etc. are yet to be recovered.

I have taken into consideration the fact that whether interrogation will serve any purpose. I am of the opinion that the reasonable coercive means would be required to be adopted as per law for effecting recoveries. Interests of justice would be adequately met in case without going into the niceties of the trial or determining the extent of liability of the petitioners, the petitioners are directed to compensate the complainant for the articles which are yet to be

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effected. The petitioners have already joined investigation. Efforts for reconciliation have failed.

The petition is allowed. It is ordered that in case of arrest of the petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the condition that the petitioners will pay a sum of Rs.2,25,000/- in the shape of bank draft in the name of complainant Meenu in lieu of the articles which are sought to be recovered. The bank draft will be handed over to the investigating officer within a period of one month and on receipt of the same, the investigating officer will hand over the same to the complainant. The amount will be without prejudice to the rights of the parties and will be adjustable towards any final settlement.

It is made clear that in case the amount is not paid within the period of one month, this petition will be deemed to have been dismissed.

February 9, 2015.
rka

(M.M.S. BEDI)
JUDGE