

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25482 of 2015 (O&M).
Decided on:-August 13, 2015.

Kuldip Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Naresh Prabhakar, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

Petitioner Kuldip Singh son of Piara Lal has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.102 dated 10.6.2015 under Sections 420, 406, 506 IPC, registered at Police Station Navi Baradari, District Jalandhar.

Complainant Poonam Rani wife of Gursewak Singh, resident of House No.336, Avtar Nagar, P.O. Chugti, Street No.3, P.S. Ramamandi, District Jalandhar has got registered the aforesaid F.I.R. As per the FIR, she had a dispute with her husband. The petitioner had approached her and told

that he can get the dispute settled with her in-laws. In order to show his bonafide, the petitioner obtained signatures of the complainant on an affidavit and asked her to pay Rs.50,000/- for registration of the case and Rs.2,50,000/- and gold ornaments for divorce. The petitioner, thereafter, being a mediator had received a settlement amount of Rs.2,50,000/- along with gold ornaments from the in-laws of the complainant but the same were never handed over to the complainant.

Learned counsel for the petitioner contends that the present FIR has been lodged in order to wreck vengeance with the petitioner. The petitioner had a talk with the complainant wherein the matter has been amicably settled with the family of the husband of the complainant and articles have also been received. He has further submitted that the allegations are false and no recovery is to be effected from the petitioner.

On the other hand, learned counsel for the State has submitted that as per report of the enquiry attached with the police file, Madan Lal, who is father-in-law of the complainant, has stated that he had handed over an amount of Rs.50,000/- on 25.4.2015, Rs.1,00,000/- on 28.5.2015 and further amount of Rs.65,000/- along with gold ornaments and household articles to the petitioner after few days of the payment of Rs.1,00,000/-. Learned counsel for the State further submits that the aforesaid amount as well as the articles are yet to be recovered from the petitioner.

I have considered the respective submissions made by the counsel for the parties.

The allegations against the petitioner are serious in nature and he does not deserve to be extended with the benefit of anticipatory bail. He has taken money as well as household articles including gold ornaments from the father-in-law of the complainant, but has not handed over the same to the complainant. In this manner, recovery is required to be effected from him.

In view of the above, I find no merit in the present petition for anticipatory bail and the same is, therefore, dismissed.

However, it is made clear that the observations made hereinabove shall not be construed as reflection of any opinion on the merits of the main case and the trial Court shall decide the case on the basis of availability of evidence.

August 13, 2015
'Yag Dutt'

(HARI PAL VERMA)
JUDGE