

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

**Criminal Misc.No.M-32497 of 2015
Date of Decision: December 17, 2015**

Adarsh Kumar & Anr.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.A.K.Kanwar & Mr.Robert Kanwar, Advocates,
for the petitioners.

Mr.K.S.Pannu, DAG, Punjab.

Mr.Upender Prasher, Advocate,
for the informant.

Naresh Kumar Sanghi, J.(Oral)

Learned counsel for the State, on instructions from SI
Randhir Singh, Police Station, E Division, Amritsar City, submits
that in compliance of the interim directions issued by this Court
on different dates, the petitioners have joined the investigation
and their custodial interrogation is not required in the present
case. However, he submits that the amount of ₹15,00,000/-
(Rupees fifteen lacs only) has not been recovered from the
petitioners.

On a query by this Court, learned counsel for the
State, after perusing the police file and taking instructions from

SI Randhir Singh, Police Station, E Division, Amritsar City, very fairly concedes that during interrogation, the petitioners have disclosed that a sum of ₹15,00,000/- (Rupees fifteen lacs only) was returned to the informant/aggrieved person.

Learned counsel for the informant/complainant submits that the petitioners should either return the remaining amount or hand over the jewellery taken by them from the informant/complainant.

On the other hand, learned counsel for the petitioners while relying upon Annexure P-2 submits that during business dealing whatever ornaments were received from the informant side have been returned to him (informant).

After hearing learned counsel for the parties, this Court finds that on account of amount due during business dealings, the present FIR has been registered and as such, the present petition is allowed. Interim directions issued by this Court on different dates are made absolute.

The petitioners shall continue to join the investigation as and when required to do so and abide by all the conditions as laid down under Section 438(2), Cr.P.C.

December 17, 2015
seema

(Naresh Kumar Sanghi)
Judge

