

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-6497 of 2015

Date of decision : September 03, 2015

Mohit Saini

..... Petitioner

Versus

U.T. Chandigarh and another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Raman Mahajan, Advocate
for the petitioner

Ms. Ashima Mor, Advocate
for U.T. Chandigarh

Mr. Samir Rathaur, Advocate
for respondent No. 2

ANITA CHAUDHRY, J.(ORAL)

Crl. Misc. No. 28384 of 2015

Application is allowed and Annexures P-4 to P-7 are
taken on record.

Crl. Misc. No. M-6497 of 2015

The petitioner is seeking anticipatory bail in FIR No. 47
dated 31.01.2015 registered at Police Station Sector 34, Chandigarh
under Sections 406, 498-A IPC.

The petitioner had been directed to join the investigation
and the Coordinate Bench had stayed his arrest on 26.02.2015.

The petition for divorce had been filed by the petitioner,
which recently has been allowed. A copy of the same has been
placed on record.

On 27.03.2015, it had transpired that loan had been taken for purchase of vehicles in the name of the complainant and the loan was not being discharged and the vehicles were lying in the custody of the police. On the last date of hearing, the petitioner had stated that he was ready to discharge the loan. He had stated that he had approached the concerned bank with an application to discharge the loan. This fact was disputed by the counsel opposite. Counsel for the parties had been directed to place on record their documents. The petitioner had placed on record copy of the application which he had submitted to the Bank which shows that the application (Annexure P-6) had been handed over to UCO Bank on 16.05.2015.

Learned counsel for the petitioner had contended that he had given an application in writing but without support of the complainant since the vehicles are in her name, the bank officials were not able to make an order. It was urged that the complainant did not appear in the Bank to make any statement.

Learned counsel for the complainant states that the complainant is present in the Court today and she had made an application to the Manager on 11.08.2015. A copy of the same has been supplied to the petitioner. The vehicles are lying with the police. The petitioner has undertaken to repay the loan. He has also approached the Bank in this regard. There are no allegation that he would not make himself available for trial, therefore, order dated 26.02.2015 is made absolute.

September 03, 2015**(ANITA CHAUDHRY)
JUDGE**