

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-15751 of 2016 (O&M)
Date of Decision: 12.05.2016

Ramesh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Gahlawat, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

CRM No.15662 of 2016

Application is allowed as prayed for.

Documents at Annexures P-6 to P-8 are taken on record.

Main Case

The present petition has been filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.97 dated 26.5.2015 under sections 406 & 506 I.P.C, registered at Police Station, Pillukhera, Tehsil Pillukhera, District Jind.

Briefly, it may be noticed that the F.I.R came to be registered at the instance of Sita Ram. Complainant had asserted that his daughter Pooja was married to one Rishi Ram and there being a matrimonial dispute amongst them, the present petitioner had acted as a Mediator. Allegations are that to facilitate some kind of settlement between the parties, a sum of Rs.8 lacs had been entrusted to the present petitioner as security. Accusation in a nutshell is that inspite of the case/proceedings initiated by daughter of the complainant having been withdrawn, the money amounting to Rs.8 lacs has been misappropriated.

The entrustment of the amount in question to the petitioner while acting as a mediator between the parties is not disputed by the counsel.

On 9.5.2016 when this petition came up for preliminary hearing counsel had sought time to place on record documents to substantiate his assertion that daughter of the complainant had duly appeared before the court and had got her statement recorded that she has received the requisite amount of Rs.8 lacs and it is only upon recording of such statement that the proceedings had been permitted to be withdrawn.

Thereafter documents at Annexures P-6 to P-8 have been adverted to.

Perusal thereof do not fortify and support the contention that had been raised by the counsel as regards daughter of the complainant having received back the entrusted amount of Rs.8 lacs.

During the course of hearing today, it has transpired that the present petitioner along with other co-accused had filed a petition under Section 482 Cr.P.C seeking quashing of the F.I.R i.e. CRM No. M-20775 of 2015. Uncontroverted position is that notice of motion having been issued parties have even been referred to the Mediation & Conciliation Centre of this Court and a report has since been received from the Mediator that no settlement was arrived at.

In the totality of facts and circumstances noticed herein above, this Court is not inclined to grant the concession of pre-arrest bail in favour of the petitioner.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

12.05.2016
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