

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 15336 of 2016
Date of decision : February 27, 2017

Gurpreet Singh Bhandari

..... **Petitioner**

Versus

State of Punjab and another

..... **Respondent**

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present:- Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Mr. Sanjeev Sharma, Advocate
for the complainant.

Mr. S. S. Gill, DAG., Punjab.

Rekha Mittal, J (oral).

The petitioner prays for grant of bail in anticipation of arrest in FIR No. 13 dated 9.2.2016 registered at Police Station Women, District Ludhiana for offence punishable under Sections 406 & 498-A IPC.

Counsel for the petitioner has submitted that during investigation most of the articles mentioned in the list Annexure 'A' have been recovered vide recovery memos dated 19.2.2016 Annexure P-3, dated 29.2.2016 Annexure P-4 and P-5.

It is further submitted that in the list Annexure 'A' at S.No.1 and 2 there is reference to an amount of Rs. 2.5 lacs given in cash for purchase of furniture and Rs.1 lac for refrigerator but there is no documentary evidence to support payment of money. It is further submitted

that the petitioner may be put to terms with regard to deposit of reasonable amount, to be ascertained by the court.

Counsel for the State does not dispute recovery of articles duly recorded in the three memos prepared by the Investigating Officer. However, it has been submitted that an amount of Rs. 3.5 lacs paid in cash is yet to be recovered. In addition counsel for the complainant would submit that two gold Karas belonging to the complainant are yet to be recovered.

I have heard learned counsel for the parties, perused the paper book and police records.

In the list Annexure 'A' there is reference to one gold Kara weighing 30 grams. As per statement made by counsel for the State, recovery of Kara has already been made. In the list, there is no reference to two gold Karas belonging to the complainant having been entrusted to any of the accused. However in the list Annexure 'A' there is mention that an the amount of Rs.2.5 lacs in cash was paid for purchase of furniture and another sum of Rs.1 lac for purchase of refrigerator.

Taking into consideration the allegations and counter allegations of the parties, the present petition stands disposed of. Interim bail granted to the petitioner is made absolute subject to following conditions:-

- i) He shall join the investigation as and when required by the Investigating Officer.
- ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to

the Investigating Officer/Court; and

iii) He shall not leave the limits of this country without prior permission of the Court.

iv) The petitioner shall deposit an amount of Rs.2 lacs by way of Demand Draft with the Investigating Officer within a period of four weeks and the same shall be handed over to the complainant subject, however, to outcome of the litigation.

Failure of the petitioner to comply with the condition in regard to deposit within the stipulated period would entail automatic dismissal of the petition for pre-arrest bail.

(REKHA MITTAL)
JUDGE

February 27, 2017
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Whether speaking/reasoned	Yes
Whether Reportable	No