

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

**CRM No.M-36287 of 2016
Decided on: 24.03.2017**

Jagmail Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Gopal Singh Nahel, Advocate
for the petitioner with petitioner in person.

Mr. Ankur Jain, AAG, Punjab.

Mr. G.S. Verma, Advocate
for respondent No.2/complainant.

REKHA MITTAL, J. (Oral)

Counsel for the petitioner would submit that the petitioner has already joined investigation in compliance with the order dated 04.11.2016 and is ready to face the proceedings, in accordance with law. It is further submitted that the petitioner is ready to pay a reasonable price of jewellery articles claimed by the complainant though the articles are not in his possession. It has further been submitted that the petitioner is also ready to pay a reasonable sum for maintenance of one child aged 1½ years staying with the mother whereas the other child (daughter) is residing with the petitioner.

Counsel for the State has submitted that recovery of domestic articles has already been effected but jewellery is still to be recovered.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 04.11.2016 is made absolute subject to the following conditions:-

(i) He shall make himself available for interrogation by a police officer as and when required;

(ii) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

(iii) He shall not leave India without the previous permission of the Court.

(iv) The petitioner shall prepare a demand draft of Rs.1,00,000/- in lieu of alleged claim of the complainant qua jewellery. The same shall be handed over to the Investigating Officer within a period of 01 month. Payment of Rs.1,00,000/- by the petitioner to the complainant would be subject to outcome of the litigation.

(v) The petitioner shall deposit an amount of Rs.30,000/- in a fixed deposit receipt in the name of minor child under the guardianship of the mother. He shall further pay an amount of Rs.3,000/- per month for maintenance of the child w.e.f. March, 2017. The amount shall be deposited in the account to be opened by the mother in the name of the minor child under her guardianship.

It is clarified that after opening the account in the name of the minor, counsel for the complainant would intimate the same to counsel for the petitioner. The account shall be opened positively within a period of 01 month. Failure of the petitioner to comply with any of the aforesaid conditions would entail dismissal of the petition.

24.03.2017
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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No