

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

CRM-M-38051-2016(O&M)
Date of decision: 30.3.2017

Gyan Parkash

....Petitioner

VERSUS

U.T. of Chandigarh and anr.

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Shashank Sharma, Advocate for the petitioner.

Mr. Rajiv Sharma, Standing counsel for U.T. Chandigarh.

Mr. Abhishek Sharma, Advocate for respondent No.2.

REKHA MITTAL, J.(Oral)

Mediation failed. Counsel for the petitioner has submitted that though both the parties agree for parting ways but they could not arrive at a consensus with regard to the amount payable towards maintenance and permanent alimony etc. It is further submitted that the petitioner has already joined investigation in compliance with interim bail granted by this Court vide order dated 24.10.2016 and has got effected recovery of dowry articles whatever was in his possession. It is further submitted that the petitioner is even ready to pay a reasonable amount towards compensation for the rest of jewellery articles claimed by her stated to be given by her parental family but subject to outcome of the litigation.

Counsel representing U.T. Chandigarh assisted by counsel for the complainant would oppose the prayer for bail with the submission that recovery of remaining articles is yet to be effected.

I have heard counsel for the parties and perused the paper-book.

There is a dispute between the parties with regard to possession of jewellery articles detailed in list dated 20.12.2016, a photocopy whereof has been supplied by counsel for U.T. Chandigarh during the course of hearing. The petitioner – husband is ready to compensate the complainant on payment of reasonable amount towards her claim of jewellery purported to be given by her parents. He has already joined investigation and is ready to face the proceedings, in accordance with law.

In view of the above, the petition stands disposed of. Interim bail granted to the petitioner vide order dated 24.10.2016 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 from disclosing such facts to the Court or to any police officer;
- (iii) he shall not leave India without the previous permission of the Court.
- (iv) he shall pay an amount of Rs.80,000/- towards tentative price of rest of the jewellery by way of demand draft in favour of the complainant, to be handed over to the Investigating Officer within a period of one month. Payment of an amount of Rs.80,000/- to the complainant shall be subject to outcome of the litigation.

Failure of the petitioner to pay an amount of Rs.80,000/- to the complainant in compliance of directions of this Court would entail dismissal of the petition.

MARCH 30, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No