

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

**CRM No.M-5 of 2017
Decided on: 21.03.2017**

Zafar Iqbal		Petitioner
	Versus	
State of Punjab		Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Arvinder Singh, Advocate for the petitioner.

Mr. Ankur Jain, AAG,Punjab.

Mr. Sunny Singla, Advocate for the complainant.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of bail in anticipation of arrest in FIR No.122 dated 15.10.2016 registered at Police Station Women, District Ludhiana for offence punishable under Sections 406 and 498-A of the Indian Penal Code (in short 'IPC').

Counsel for the petitioner has submitted that nikah was performed on 29.09.2013, baby boy was born out of the wedlock on 22.10.2014 and the FIR has been lodged on 15.10.2016. It is further submitted that the petitioner is ready to resume cohabitation with the complainant but she is not agreeable. There is a serious dispute between the parties if Bullet motorcycle was purchased with the funds of the petitioner or the money provided by family of the complainant. It is further submitted that one ring (gold) claimed by the complainant is not available with the petitioner but he is ready to compensate for the same.

Counsel for the complainant has submitted that besides Bullet motorcycle and one ring (gold) pair of topas, one nose ring and one nose pin (gold) along with silver articles remain to be recovered.

Counsel for the petitioner, in reply, has submitted that the petitioner is ready to deposit a reasonable amount towards price of these articles, ascertained by this Court but the same may be released in favour of the complainant subject to outcome of the litigation.

Counsel for the State has conceded to the position that the petitioner has already joined investigation.

In view of the above, the petition is allowed and the petitioner is allowed bail in anticipation of arrest 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 deposit an amount of Rs.1,25,000/- by way of demand draft in the name of complainant with the Investigating Officer within a period of 01 month. The same shall be released in favour of the complainant but subject to outcome of the litigation.

It is clarified that failure of the petitioner to deposit money in compliance with the directions of this Court would entail automatic dismissal of the petition.

21.03.2017

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(REKHA MITTAL)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No