

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

**Crl. Misc. No.M- 1143 of 2017
Date of decision : 08.05.2018**

Suraj Arora

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ajay Singla, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. Ajayvir Singh, Advocate
for the complainant.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking anticipatory bail in FIR No. 82 dated 16.06.2016, registered under Section 406/498-A IPC, Police Station Women Cell, Jull, District Jalandhar City.

The State counsel says that the petitioner had joined the investigation.

The counsel for the complainant had pointed out on the last date that the petitioner had admitted that he had some gold articles which he had not returned.

Counsel for the petitioner had sought time to verify the fact. Today he states that the rings had been returned and the chain was lost and he was ready to compensate for the chain. Counsel for the petitioner also states that he had handed over the articles and the complainant had moved an

application for release on superdari. Counsel for the petitioner has placed on record the copy of the order dated 01.08.2017 and states that an order was passed in favour of the complainant but she had failed to take the articles and those are still lying in the police station. Counsel for the petitioner had also shown a prescription slip to show that that the complainant is running a clinic and is prescribing medicines and is working.

The complainant side had also stated that the original certificates had not been handed over and a coloured copy was handed over.

The details are available with the complainant. If need be they can apply for duplicate copies. The petitioner is ready to bear the expenses that would be made. The expenses if any incurred by the complainant in obtaining the duplicate copies can be recovered by the complainant from the petitioner by moving an appropriate application before the trial Court.

Counsel for the petitioner contends that the challan has not been presented yet.

The petitioner would deposit a sum of Rs.40,000/- with the Court below in lieu of the gold chain. The amount can be withdrawn by the complainant.

Looking to all these circumstances, but without commenting on the merits of the case, the petition is allowed and order dated 06.03.2018 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

(ANITA CHAUDHRY)
JUDGE

08.05.2018

Sunil

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