

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

Crl. Misc. M-22743 of 2018 (O&M)
Date of Decision: September 24, 2018

Balwinder Chand

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kailash Chander, Advocate
for the petitioner.

Ms. Rajni Gupta, Senior DAG Punjab.

Mr. Gaurav Goel, Advocate
for complainant/respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.78 dated 14.10.2017, under Sections 406, 498-A of the Indian Penal Code, registered at Police Station Naya Gaon, District SAS Nagar, Mohali

By an order dated 03.07.2018 while issuing the notice of motion, the petitioner had been directed to join the investigation. This court is informed that the petitioner did join the investigation. Thereafter, the parties were directed to appear before the Mediation and Conciliation Centre of this court, however, the mediation process seems to have been unsuccessful.

Learned counsel for the respondent-State as well as complainant submit that recovery of some of the dowry articles is yet to be made.

On this, learned counsel for the petitioner submits that the petitioner is ready to deposit ₹ 18,000/- with the Illaqa Magistrate/trial court, in lieu of the alleged recoveries that are yet to be effected.

I have heard learned counsel for the parties.

In view of the above, let an amount of ₹ 18,000/- be deposited with the Illaqa Magistrate/trial court, in lieu of the alleged recoveries within a period of four weeks and the same would be disbursed to the complainant in case, she would be successful in her allegations.

At this stage, without commenting on the merits of the case, the petition is allowed and order dated 03.07.2018 granting interim bail to the petitioner is made absolute subject to the petitioner's depositing the said amount within the aforesaid stipulated period and further subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

September 24, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No