

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

Date of decision: 02.05.2018

1. CRM-M-2246-2017

Kuldeep Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

2. CRM-M-19815-2017

Shiv Kumar and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sumeet Goel, Advocate,
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Jainainder Saini, Advocate,
for complainant/respondent No.2.

JAISHREE THAKUR, J. (ORAL)

This order of mine shall dispose of the above referred two petitions as the facts are common and arising out of the same FIR.

For brevity facts are being taken from **CRM-M-2246-2017**.

The instant petitions have been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner(s) in FIR No.731

dated 09.11.2016, under Sections 498-A, 406 & 506 of the Indian Penal Code and Section 313 IPC added lateron, registered at Police Station Civil Lines, Hisar.

By an orders dated 24.01.2017 in **CRM-M-2246-2017**, and dated 31.05.2017 in **CRM-M-19815-2017**, while issuing the notice of motion, the petitioner(s) had been directed to join the investigation. This court is informed that the petitioner(s) did join the investigation, pursuant to the said order. Thereafter, the parties were directed to appear before the Mediation and Conciliation Centre of this court. However, the mediation seems to have been unsuccessful, despite the attempt being made by the mediators and this court itself.

Learned counsel appearing on behalf of respondent-State, as well as counsel for the complainant submit that as per the complainant *Istridhan* along with some gold items are yet to be recovered, therefore, the petitioner is not entitled to grant of anticipatory bail.

I have heard learned counsel for the parties.

At this stage, learned counsel for the petitioner(s) submits that the petitioners are ready to deposit ₹ 3,00,000/- with the Illaqa Magistrate, in lieu of the alleged recoveries that are yet to be effected.

In view of the above, let the amount of ₹ 3,00,000/- be deposited with the Illaqa Magistrate after presentation of the challan, in lieu of the alleged recoveries within a period of four weeks, to be disbursed to the complainant in case, she is successful in her allegations. The amount so deposited, to be retained in the form of an interest bearing Fixed Deposit.

With the aforesaid directions, at this stage, without commenting on the merits of the case, both the petitions are allowed and orders dated 24.01.2017 and 03.08.2017 in **CRM-M-2246-2017**, and dated 31.05.2017 in **CRM-M-19815-2017** granting interim bail to the petitioner(s) 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 and deposit of ₹ 3,00,000/- in lieu of *istridhan*.

A photocopy of this order be placed on the file of the connected case.

02.05.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.