

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

CRM-M No. 36627 of 2016

DATE OF DECISION :- September 28, 2018

Sukhwinder Singh Pandha

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. A.S. Manaise, Advocate for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Rahul Deswal, Advocate for respondent no. 2.

This is a petition for pre arrest bail filed by petitioner Sukhwinder Singh Pandha, an accused in F.I.R. No. 88 dated 19.9.2013 under Sections 406, 498-A, 420, 494, 120-B IPC registered with Police Station Women Patiala, District Patiala.

Learned counsel for the petitioner states that petitioner has since joined the investigation and got the recovery effected and for the remaining jewellery items, he has deposited a sum of Rs.1.25 lacs in the form of demand draft in the name of the complainant in the Registry of this Court, therefore, the present petition be allowed.

Learned State counsel on instructions from ASI Gurjeet Singh states that petitioner has since joined the investigation and had got the recovery effected and for remaining jewellery articles weighing around 4 tolas of gold which were not got recovered, he has deposited a demand draft in a sum of Rs.1.25 lacs in name of the complainant, as such petitioner is not required by

the local police in connection with further investigation.

Learned counsel for the complainant states that he does not oppose the petition subject to the condition that draft in the sum of Rs.1.25 lacs in the name of the complainant be handed over to her and while leaving India, the petitioner should obtain necessary permission from the Court.

Under such circumstances, the interim bail granted to the petitioner on 17.10.2016 is made absolute, subject to his fulfilling conditions under Section 438(2) Cr.P.C. i.e.

- (i) that he shall join investigation as and when so directed by the investigating officer.
- (ii) that he shall not give any threat or intimidation to any prosecution witnesses.
- (iii) that he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one otherwise to furnish affidavit in that regard.

The petition stands allowed accordingly.

The Registry is directed to hand over the demand draft in a sum of Rs.1.25 lacs so deposited by the petitioner in the name of the complainant to the complainant against a valid receipt.

(H.S. MADAAN)
JUDGE

September 28, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No