

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-12148-2017

Sheela Sharma

.....Petitioner

Versus

State of Punjab and another

.....Respondents

207(2)

CRM-M-10927-2017

Karan Sharma

.....Petitioner

Versus

State of Punjab and another

.....Respondents

Date of Decision:04.04.2019

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Ms. Jasneet Nehra, Advocate for
Mr. L.M. Gulati, Advocate,
for the petitioner(s).

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. S.S. Swaich, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

This order shall dispose of CRM-M-12148-2017 (titled as Sheela Sharma Versus State of Punjab and another) filed by Sheela Sharma, who is mother-in-law of the complainant, whereas CRM-M-10927-2017 (titled as Karan Sharma Versus State of Punjab and another) has been filed by Karan Sharma, who is husband of the complainant as both these cases are arising out of the same FIR.

Prayer in these petitions filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioners in FIR No.21 dated 11.03.2017 under Sections 406, 498-A IPC, registered at Police Station Khamanon, District Fatehgarh Sahib.

Vide order dated 07.04.2017 passed in CRM-M-12148-2017, petitioner-Sheela Sharma and vide order dated 30.03.2017 passed in CRM-M-10927-2017, petitioner-Karan Sharma, were admitted on interim bail, subject to the conditions, as envisaged under Section 438(2) Cr.P.C. Thereafter, the matter was sent to the Mediation and Conciliation Centre. However, mediation could not succeed and the matter was sent back to this Court.

Learned State Counsel on instructions from ASI Devinder Singh, states that the petitioners have joined the investigation and their custodial interrogation is no more required at this stage. However, cash and gold articles are yet to be recovered from the petitioners, though most of the household articles have been recovered.

At this stage, learned counsel for the petitioners states that whatever gold articles were there, the complainant has already taken along with her.

The issue, whether the complainant has taken away the gold articles or not will be a subject matter of trial. However, at this stage the petitioners shall pay a sum of Rs.2 lac to the complainant-respondent No.2 within a period of one month from today. This amount shall be subject to the outcome of recovery if any to be/or effected in the case.

With this condition, the present petitions are allowed and the interim bail granted to the petitioners vide order dated 07.04.2017 and

30.03.2017 is made absolute.

However, if required, the petitioners shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

It is made clear that if the amount of Rs.2 lac is not deposited within the aforesaid period, the present petitions shall be deemed to have been dismissed.

April 04, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No