

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

CRM-M-8653-2018

Date of Decision: 07.05.2019

Ranjeev Kumar @ Rajiv Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Maninder Arora, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab
for respondent No.1.

Mr. Deepak Arora, Advocate
for respondent No.2.

HARI PAL VERMA, J. (ORAL)

Prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.18 dated 09.02.2018 registered under Sections 498-A, 406 IPC at Police Station Dhariwal, District Gurdaspur.

Fresh power of attorney filed on behalf of petitioner in court today, is taken on record.

This court, vide order dated 01.03.2018 while issuing notice of motion in the case had stayed the arrest of the petitioner. Thereafter, vide

order dated 14.03.2018, the matter was referred to Mediation and Conciliation Centre of this Court. A report dated 23.05.2018 has been received from the Mediator that parties could not reach any amicable settlement.

Learned counsel for the complainant has argued that recovery of 20 tollas of gold and some house hold articles are required to be effected from the petitioner for which the bills are issued by the Shiv Shankar Jeweller at Dhariwal.

Learned counsel for the petitioner states that pursuant to the order dated 01.03.2018 followed by order dated 02.07.2018, petitioner has joined the investigation. He further states that while leaving the matrimonial home, the complainant had taken the jewellery with her, however, he states that petitioner is ready to pay an amount equivalent to the price of 4 tollas of gold to the complainant. He further undertakes to deposit an amount equivalent to the price of 6 tollas of gold with the trial court subject to the outcome of the trial.

Learned State counsel has also argued on the similar lines as that of the complainant.

Heard counsel for the parties.

The marriage between the parties was solemnized on 18.10.2015 and out of this wedlock, a boy was born on 04.08.2016. Though efforts were made to get the matter resolved through mediation, but mediation failed.

Considering the fact that petitioner has undertaken to pay an amount equivalent to the price of 4 tollas of gold to the complainant and

further to deposit an amount equivalent to the price of 6 tollas of gold with the trial Court, subject to the outcome of trial, the order dated 02.07.2018 whereby the petitioner as admitted on interim bail is made absolute.

However, petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) CrPC.

The petitioner shall pay a sum of Rs.1,30,000/- against the gold value of 4 tollas and against the value of 6 tollas of gold, he will deposit Rs.2 lakh in the name of the complainant in the shape of FDR for a period of 2 years with the trial court, which shall be subject to the outcome of trial.

It is made clear that in case petitioner fails to pay/deposit the amount as referred above, the present petition shall be deemed to have been dismissed.

The petition stands disposed of in the terms indicated above.

May 07, 2019
Jyoti-IV

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No