

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

**CRM-M-45775-2019
Date of decision: 18.12.2019**

Parbhawati

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Jagmohan Ghuman, DAG, Punjab.

Dr. Juhi Goel, Advocate
for respondent No. 2/complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 193 dated 28.08.2019, registered under Sections 420 and 120-B of the IPC at Police Station Civil Lines, District Bathinda.

The order dated 29.10.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner, at the very outset, submits that the petitioner is ready to return the entire earnest money to the complainant and submits that she may be granted some time to arrange the money and to pay the same to the complainant. Notice of motion. At this stage, Dr. Juhi Goel, Advocate puts in appearance and accepts notice on behalf of the complainant/respondent No. 2. List again on 13.11.2019. In the meantime, in the event of arrest, the petitioner be released on interim bail subject to her furnishing bail/surety bonds to the satisfaction of Investigating Officer/Arresting Officer and

subject to the conditions envisaged under Section 438(2) Cr.P.C. The petitioner is directed to bring a demand draft of some reasonable amount favouring the complainant on that next date of hearing.”

Learned counsel for the petitioner submits that the petitioner has offered an amount of Rs. 70,000/-, which is not accepted by the complainant.

As per report of the Mediator, no amicable settlement could be arrived at between the parties.

Learned counsel for the State, on instructions from ASI Gurpreet Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 29.10.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C. and further subject to condition that petitioner will deposit the amount of Rs. 70,000/- with the Illaqua Magistrate/trial Court within a period of 15 days from today and the same will be kept in an FDR, subject to final outcome of the case.

It will be open for the complainant to move an application before the Illaqua Magistrate/trial Court for withdrawal of the aforesaid amount if some settlement is arrived at between the parties.

18.12.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No