

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

**CRM-M No.13820 of 2019
Date of Decision.18.02.2020**

Ajay Kumar

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vishal Sharma, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. R.S. Thakur, Advocate
for the complainant.

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JAISHREE THAKUR J. (ORAL)

1. This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.7 dated 20.02.2019 registered under Sections 498-A, 506, 406, 120-B, 34 IPC at Police Station Tibber, District Gurdaspur.

2. Learned counsel for the petitioner herein contends that pursuant to the order dated 26.07.2019 passed by this Court, petitioner has joined investigation. However, vide order dated 02.09.2019, the aforementioned order had been recalled.

3. Learned counsel appearing on behalf of the respondent-State on instructions from IO submits that though the petitioner has joined investigation but recovery of some of the articles is yet to be effected.

4. I have heard learned counsel for the parties.

5. In view of the fact that the petitioner herein has joined

investigation, this Court does not deem it appropriate to order his arrest only to make part recovery. However, to secure interest of the complainant, the petitioner herein is directed to deposit an amount of ₹2,60,000/- in fixed deposit in the name of the complainant before the trial Court within a period of two months, to be handed over to the complainant in case she is successful in proving her case. In case the proceedings under the FIR are dismissed, the amount in fixed deposit to be returned to the petitioner herein.

6. With the aforementioned observations, the instant petition is allowed and the petitioner is granted anticipatory bail, subject to the condition that he will join the investigation as and when called by the IO and abide by the conditions as laid down in Section 438 (2) Cr.P.C. However, in case the amount of ₹2,60,000/- is not deposited in fixed deposit as directed by this Court, the complainant/State is at liberty to have this order recalled.

(JAISHREE THAKUR)
JUDGE

February 18, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No