

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

**CRM-M No.26969 of 2019
Date of Decision.04.02.2020**

Avtar Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. G.S. Gopera, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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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.56 dated 25.05.2019 registered under Sections 498-A, 406 IPC at Police Station Moonak, District Sangrur.
2. Learned counsel for the petitioner herein contends that pursuant to the previous order, he has joined investigation and therefore, prays for confirmation of the interim bail, as all recoveries have been made.
3. Learned counsel appearing on behalf of the respondent-State on instructions of ASI Balbir Singh submits that though the petitioner has joined investigation, the complainant herein has furnished bills for gold ornaments of 8 tolas, which are still in possession of the petitioner and his family members.
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 recover the gold ornaments since other recoveries have been made.

However, to secure interest of the complainant, the petitioner herein is directed to deposit an amount of ₹2 lakhs 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 order dated 17.06.2019 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C. However, in case the amount of ₹2 lakhs 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 04, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No