

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 13547-2021 (O&M)

Date of Decision: 06.09.2021

Amandeep Singh Gill

... Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. C. S. Singla, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
for respondent -State.

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

JAISHREE THAKUR, J. (Oral)

This petition has been filed for grant of anticipatory bail to the petitioner in case FIR No. 214, dated 01.12.2020 under Sections 406, 498-A IPC, registered at Police Station Samrala, District Khanna, Punjab.

Learned counsel for the petitioner would submit that in terms of the order dated 24.03.2021 an amount of Rs.10 lakhs has already been deposited by the petitioner herein before the trial Court and has been disbursed to the complainant against security. This would be evident from order dated 30.04.2021 passed by the Sub Divisional Judicial Magistrate, Samrala. The said deposit is subject to the final decision of the petitioner's

trial.

The reply of the complainant is taken on the record. Learned counsel for the complainant herein opposes the grant of anticipatory bail by contending that the recovery of 28 tolas of gold is still pending, which fact is disputed by the learned counsel for the petitioner by contending that the complainant had already taken the said jewellery when she left the house and that the recovery is a matter of trial.

I have heard learned counsel for the parties and have perused the paper book.

It has been held in the judgment '*Bhupinder Singh etc. vs. State of Punjab, 2014(2)RCR (Criminal) 109* that bail cannot be denied only on the ground that recoveries have not been effected.

In view of the facts that the matter has been investigated qua the petitioner and he has already complied with the order dated 21.03.2021 and also joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 24.03.2021 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

06.09. 2021

seema goran

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned	Yes
Whether reportable	No