

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

CRM-M No.15241 of 2020 (O&M)

Date of Decision:17.08.2021

(Heard through VC)

Sachin Chopra

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vivek Salathia, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Vaibhav Narang, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

1. This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.08 dated 29.02.2020 registered under Sections 406, 498-A, IPC at Police Station Women-2, District Amritsar.
2. Learned counsel for the petitioner herein contends that pursuant to the order dated 16.06.2020 passed by this Court, petitioner has joined investigation and therefore, prays for confirmation of the interim bail.
3. Learned counsel appearing on behalf of the respondent-State on instructions from SI Gurdeep Singh submits that though the petitioner has joined investigation but recovery of some of the gold articles of about 379 grams is yet to be effected whereas learned counsel appearing for the petitioner would submit that in fact, the complainant had taken all the gold articles with her when she had left the matrimonial house.

4. By an order dated 23.04.2021, parties were directed to put in appearance before this Court to see whether the matter could be settled amicably. Today both the parties have put in appearance through the medium of video conferencing. It appears that despite several counsellings having been taken place between the parties, there is no amicable settlement.

5. I have heard learned counsel for the parties.

6. 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 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.

7 With the aforementioned observations, the instant petition is allowed and the order dated 16.06.2020 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.

August 17, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No