

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM-M-4277-2020
Date of decision: 16.05.2022

Amarjeet Singh

...Petitioner

Versus

State of U.T., Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sudesh K. Khurcha, Advocate for the petitioner.

Mr. Sumit Jain, Addl. P.P., U.T., Chandigarh
for State-respondent No.1.

None for complainant-respondent No.2.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.151 dated 05.11.2019, registered for offences under Sections 498-A and 406 of the Indian Penal Code, 1860, at Police Station Women, Sector-17, Chandigarh, Annexure P-1.

FIR, Annexure P-1, is an outcome of a matrimonial dispute.

While issuing notice of motion on 04.02.2020, this Court directed the parties to appear before the Mediation and Conciliation Centre of this Court and arrest of the petitioner was stayed. However, the mediation proceedings remained unsuccessful and vide order dated 13.09.2021, the petitioner was directed to join the investigation and was ordered to be released on interim bail.

As per the State counsel, recovery of articles worth Rs.6-7 lacs is yet to be effected from the petitioner.

During the course of hearing on 27.04.2022, counsel for the petitioner sought an adjournment to get instructions regarding the deposit of cash equivalent to the cost of articles.

Upon instructions from the petitioner, who is the husband of the complainant, counsel for the petitioner submits that without admitting the allegations levelled in the FIR, the petitioner will deposit a sum of Rs.3 lacs with the Area Magistrate within any reasonable time granted by this Court.

Keeping in view the above, petition is disposed of.

Order dated 13.09.2021 is made absolute subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

In case, the petitioner deposits an amount of Rs.3 lacs with the Area Magistrate within a period of three weeks from today, the same shall be kept in a fixed deposit in a public sector bank initially for a period of six months with instructions for automatic renewal. The fixed deposit amount along with interest accrued thereon, will be paid to the party, who is found entitled to the same, on the conclusion of the trial. This deposit will be without prejudice to the right of defence of the petitioner.

It is made clear that in case the petitioner fails to make the deposit within the stipulated period, the petition shall be deemed to be dismissed and the State-respondent No.1 shall be at liberty to proceed against him in accordance with law.

16.05.2022
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No