

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209-2)

CRM-M-5054-2020

Date of decision:- 08.09.2022

Vijit Kapoor

...Petitioner

Versus

U.T., Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Kunal Dawar, Advocate for the petitioner.

Mr. J.S.Toor, A.P.P., U.T., Chandigarh
for U.T.-respondent No.1.

Mr. B.D.Sharma, Advocate
for 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.158 dated 26.11.2019, registered for offences under Sections 406 and 498-A of the Indian Penal Code, 1860, at Women Police Station, Chandigarh, Annexure P-1.

FIR, Annexure P-1, is an outcome of a matrimonial dispute and petitioner is the husband of complainant-respondent No.2.

While issuing notice in the petition, this Court directed the parties to appear before the Mediation and Conciliation Centre of this Court.

However, the Mediation proceedings could not succeed.

Vide order dated 15.03.2022, petitioner was granted interim protection and was directed to join investigation.

Upon instructions, State counsel submits that some recovery is yet to be effected from the petitioner, which fact has been disputed by the counsel for the petitioner.

However, counsel for the petitioner has given a cheque of Rs.2.5 lacs drawn in the name of complainant-respondent No.2, a *Xerox* copy of which has been retained on the record, towards the payment for the articles alleged to be in his possession. Counsel submits that the amount is being paid without admitting the allegations levelled in the FIR.

In view of the above, but without commenting upon the allegations levelled in the FIR, present petition is allowed.

Order dated 15.03.2022 granting interim bail to the petitioner, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

08.09.2022
Kamal

(SUVIR SEHGAL)
JUDGE

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