

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

208

CRM-M-43882-2020 (O & M)

Date of Decision: 26.07.2022

VINAY SOOD

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Ritu Punj, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

Mr. Vikas Kumar, Advocate for

Mr. Ashish Naik, Advocate for the complainant.

SUVIR SEHGAL, J.(ORAL)

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.345 dated 07.11.2020, Annexure P-1, registered under Sections 323 and 498-A of IPC, 1860, however, Section 406 of IPC was added later on, at Police Station Pinjore, District Panchkula.

FIR, Annexure P-1, is a result of a matrimonial dispute between the petitioner and the complainant.

While issuing notice in the petition, this Court vide order dated 23.12.2020 stayed the arrest of the petitioner. The parties were referred to the Mediation and Conciliation Centre of this Court, but the mediation proceedings failed.

Vide order dated 07.02.2022, the petitioner was directed to join the investigation and appear before the Investigating Agency and he was granted interim bail.

Upon instructions from L/PSI Pooja, State counsel submits that although the petitioner has joined the investigation, but recovery of gold ornaments worth Rs.3.24 lac approximately, besides white goods and some personal items of the complainant, is yet to be effected from him. This fact has been disputed by counsel for the petitioner.

However, without going into the disputed aspect, this Court is of the view that interest of both the parties can be secured by directing the petitioner to deposit some amount before the Illaqa Magistrate.

In view of the above, without commenting upon the allegations levelled in the FIR, present petition is allowed and the order dated 07.02.2022 granting interim bail to the petitioner is made absolute, subject to the conditions enshrined in Section 438(2) of the Code of Criminal Procedure.

The petitioner will deposit a sum of Rs.2.5 lac with the Area Magistrate within a period of 04 weeks from today. In case, the petitioner makes the said deposit, the amount will be kept in a fixed deposit with a Public Sector Bank for a period of six months with instructions for automatic renewal. The deposited amount alongwith accrued interest will be paid to the party, who is found entitled to the same, at the time of conclusion of the trial.

It is clarified that the deposit of the amount by the petitioner will be without prejudice to his right of defence.

26.07.2022
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(SUVIR SEHGAL)
JUDGE

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