

Date of decision: 03.08.2023

...RESPONDENT

3.
RENU BALA
2023.08.03 16:55
I attest to the accuracy and
integrity of this document

CRM-M-19289-2022

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Conciliation Centre but the dispute could not be amicably settled.

4. Learned counsel for the petitioner contends that the complainant while leaving the matrimonial house had taken all her articles of *Istri Dhan* and academic certificates. The petitioner is not in possession of any article of *Istri Dhan* or certificates of the complainant. Furthermore, the petitioner has joined the investigation in pursuance of interim directions.

5. On instructions from ASI Davinderpal, learned State counsel submits that though the petitioner has joined the investigation but recovery of two and a half tollas of golden jewellery and academic certificates of the complainant are yet to be effected.

6. Learned counsel for the complainant has opposed the bail application on the score that the petitioner had filed a petition under Section 9 of Hindu Marriage Act and the same has been dismissed in default. Furthermore, he has been directed to pay maintenance in the proceedings under Section 125 Cr.P.C but the amount of maintenance has not been paid by him.

5 Be that as it may, the controversy as to whether the articles of *Istri Dhan* were entrusted to the petitioner and have been misappropriated by him will be a debatable and moot point during the course of trial. Furthermore, in the event, the petitioner is not complying with the order passed under Section 125 Cr.P.C, the complainant has a remedy to seek execution thereof. In pursuance of interim directions, the petitioner has joined the investigation.

6. In view of the aforesaid submissions, the order dated 07.05.2022, granting interim bail to the petitioner is made absolute.

7. The petition is allowed.

03.08.2023

(VIVEK PURI)
JUDGE