



201
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33191-2023O&M)
Date of Decision: 17.01.2025

Revail Singh

....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Gaurav Sharma, Advocate, for the petitioner.

Mr.P.S. Bhandari, AAG. Punjab.

Mr. Rahul, Advocate, for
Mr. Lupil Gupta, Advocate, for respondents No.2 & 3.

JASGURPREET SINGH PURI, J. (Oral)

CRM-44411-2024

The present application has been filed for granting permission to deposit an amount equivalent to the gold that is alleged by the complainant to be in the possession of the petitioner with the trial Court.

Learned State counsel has stated that he has no objection in case the aforesaid amount equivalent to the gold that was alleged by the complainant is deposited before the learned trial Court.

Learned counsel appearing on behalf of the applicant-petitioner submitted that out of the total alleged 12 tolas of gold, some of the articles were returned and gold equivalent to amount of Rs. 3,20,776/- is left and he will deposit the same with the trial Court within a period of one month



from today.

Since the applicant-petitioner himself has made a request for deposit of the aforesaid amount before the learned trial Court, the same is allowed and he can do so within a period of one month from today.

The present application stands disposed of.

Main case

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.66 dated 05.06.2023, under Sections 498-A, 406 and 120-B IPC, registered at Police Station Valtoha, District Tarn Taran.

2. Learned State counsel has submitted on instructions from ASI Rasal Singh that the petitioner has already joined investigation and he has cooperated with the investigation process. However, recovery of the aforesaid amount of remaining gold was not effected.

3. Learned counsel appearing on behalf of the petitioner submitted that the aforesaid gold is not with the petitioner and rather he himself has expressed his willingness to deposit the equivalent amount before the learned trial Court and therefore that itself cannot become a ground for denial of bail to the petitioner once he has already joined investigation.

4. Learned counsel appearing on behalf of the complainant submitted that in the absence of recovery of gold items/articles, the bail may not be granted to the petitioner.

5. After hearing the learned counsel for the parties, this Court is of the considered view that since the petitioner has already joined investigation and he has cooperated with the investigation process, as per the learned



State counsel, the mere fact that some of the remaining gold items have not been returned back to the complainant and the fact that he himself has volunteered to deposit an equivalent amount before the learned trial Court as aforesaid, the non-deposit of the remaining gold with the complainant or the Investigating Agency is not a ground for denial of bail to the petitioner, if otherwise the petitioner deserves the concession of anticipatory bail.

6. In view of the above, the present petition is allowed the order dated 13.07.2023 is hereby made absolute.

17.01.2025

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No