



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

**CRM-M-42269-2024 (O&M)
Date of Decision:-21.05.2025**

Sandeep Mehta @ Sandeep

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Amit Arora, Advocate for the petitioners.

Mr. Gaurav Gurcharan Singh Rai, Sr. DAG, Punjab.

Mr. Jagjit Singh, Advocate for respondent No.2-complainant.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 482 of BNSS, for grant of anticipatory bail to the petitioner in case bearing FIR No.126 dated 30.06.2024 under Sections 498-A of IPC registered at Police Station City Tarn Taran.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is the husband and the present FIR was lodged by the wife on 30.06.2024. He submitted that when notice of motion was issued by this Court on 30.08.2024, the arrest of the petitioner was stayed, with a further direction that the petitioner shall not leave India without prior permission of the Trial Court or the concerned Chief Judicial Magistrate. He further submitted that litigation costs of Rs. 30,000/- were imposed upon the



petitioner, which were subsequently reduced to Rs. 15,000/-, and the same has already been paid to the complainant. He also submitted that the matter was referred to the Mediation and Conciliation Centre of this Court, but the mediation proceedings have failed. He further submitted that the provisions of Section 406 of the IPC have not been invoked in the present case. Additionally, he submitted that the petitioner has already joined the investigation and has fully cooperated with the investigation process and therefore, he may be granted the benefit of anticipatory bail.

3. On the other hand, learned State counsel, as well as learned counsel for the complainant, submitted that although the petitioner may have joined the investigation but he has not returned the gold ornaments belonging to the complainant, which are her *stridhan* and therefore, he is not entitled to the grant of anticipatory bail.

4. I have heard the learned counsels for the parties.

5. The arrest of the petitioner was stayed on 30.08.2024, and as per learned counsels for the parties, the petitioner has already joined the investigation. The matter was also sent to the Mediation and Conciliation Centre of this Court but unfortunately the mediation proceedings failed. Furthermore, the provisions of Section 406 of the IPC, have not been invoked in the present case. Since this provision has not been invoked, it cannot serve as a ground for the denial of anticipatory bail to the petitioner. The only objection raised by learned State counsel as well as by learned counsel for the complainant, is with regard to non-returning of gold ornaments. This Court is of the considered view that the mere fact that some of the gold ornaments, if



at all, have not been returned to the complainant cannot dis-entitle the petitioner from being granted anticipatory bail.

6. In view of the aforesaid facts and circumstances, the present petition is allowed. It is directed that the petitioner shall continue to join the investigation as and when called to do so and in the event of arrest, the petitioner shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 482(2) of BNSS, 2023. The condition which was imposed vide order dated 30.08.2024 that the petitioner will not leave India without prior permission of the Trial Court/CJM concerned, will continue.

(JASGURPREET SINGH PURI)
JUDGE

21.05.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No