

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.369 OF 2020
(Arising out of SLP (Criminal) No.6605 OF 2019)

YATIN UPPAL @ JATIN UPPAL

Appellant

VERSUS

STATE OF PUNJAB & ANR.

Respondents

O R D E R

Leave granted.

This appeal challenges the judgment and final order dated 15.05.2019 passed by the High Court of Punjab & Haryana at Chandigarh in CRM-M No.37257 of 2016.

The matter arises out of Crime registered pursuant to FIR No.97 dated 06.08.2016 with Police Station Patti, District Tarntaran, Punjab, for the offences punishable under Sections 498-A/406/323/34 IPC.

The application preferred by the appellant-husband for facility of anticipatory bail under Section 438 Cr.P.C. was rejected by the Trial Court. Thereafter, proceedings for seeking similar relief were initiated by the appellant before the High Court. At the interim stage, protection was afforded to the appellant-husband. However, by order dated 15.05.2019, the application preferred by the appellant-husband was

dismissed by the High Court, which order is presently under appeal.

While issuing notice on 06.08.2019, this Court directed the appellant to deposit a sum of Rs.8,00,000/- (Rupees eight lakhs only) in the Registry of this Court. That order has been complied with and the money stands deposited in the Registry of this Court.

It is a matter of record that the police has since then filed report under Section 173 Cr.P.C. which is pending consideration before the appropriate Court.

Since the investigation is over and the basic claim relates to the return of stridhan and other properties, ends of justice would be subserved if while granting the relief of anticipatory bail to the appellant/husband, the money lying in deposit with the Registry of this Court is directed to be made over to the Trial Court, to abide by the orders to be passed after the conclusion of the proceedings.

We order accordingly and direct that in the event of arrest of the appellant-husband in connection with the aforesaid crime, the arresting officer shall release him on bail, subject to his furnishing cash security in the sum of Rs.50,000/- (Rupees fifty thousand only) with two like sureties. It is also directed that the amount of Rs.8,00,000/- (Rupees eight lakhs only) with interest, if any accrued

thereon, shall be remitted by the Registry of this Court to the Trial Court.

Since the crime was registered in the year 2016, we direct the concerned Trial Court to take up the matter and see whether charges are required to be framed or not. Let the entire exercise be undertaken as early as possible and preferably within two months from today.

The appeal is disposed of in the aforesaid terms.

.....J.
[UDAY UMESH LALIT]

.....J.
[VINEET SARAN]

NEW DELHI;
MARCH 02, 2020

ITEM NO.13

COURT NO.6

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Cr1.) No.6605/2019

(Arising out of impugned final judgment and order dated 15-05-2019 in CRM-M No.37257/2016 passed by the High Court Of Punjab & Haryana At Chandigarh)

YATIN UPPAL @ JATIN UPPAL

Petitioner(s)

VERSUS

STATE OF PUNJAB & ANR.

Respondent(s)

(IA No.110555/2019 - FOR EXEMPTION FROM FILING O.T.; and, IA No.110557/2019 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 02-03-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Ankur Bansal, AOR

For Respondent(s) Mr. Karan Bharihoke, AOR
Mr. Siddhant Sharma, Adv.

Ms. Manjula Gupta, AOR
Mr. M.D. Pandey, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of, in terms of the Signed Order.

Pending application(s), if any, shall stand disposed of.

(MUKESH NASA)
COURT MASTER

(PRADEEP KUMAR)
BRANCH OFFICER

(Signed Order is placed on the File)