

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

**CRM-M-20717 of 2014
DECIDED ON: MAY 14, 2015**

RAVINDER KUMAR GARG

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. C.B. Goel, Advocate and
Mr. S.S. Narula, Advocate
for the petitioner.

Mr. Gurpartap Singh Gill, Advocate
for the respondent-UT Chandigarh.

Ms. Aditi Girdhar, Advocate
for respondent No.2/complainant.

JASPAL SINGH, J.(Oral)

Instant petition has been filed under Section 438 Cr.P.C. seeking pre-arrest bail to the petitioner in case FIR No. 144 dated March 22, 2014, under Sections 406 and 498-A IPC, registered at Police Station South Sector 34, Chandigarh.

2. While issuing notice of motion on June 17, 2014, following order was passed.

“It is *inter alia* contended that petitioner is always ready and willing to enter into an amicable settlement.

Notice of motion for 21.7.2014.

Meanwhile, in the event of arrest of the petitioner, he shall be

released on bail by the Arresting/Investigating Officer. The petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.”

3. Subsequently, it came to light that though petitioner has joined the investigation but has not fully cooperated, again a direction was issued to petitioner to join investigation on March 26, 2015 at 11.00 AM vide order dated March 19, 2015 and the said order is complied with by the petitioner.

4. Learned counsel for UT Chandigarh assisted by learned counsel for the complainant contended even petitioner has joined the investigation but he has not got recovered entire dowry articles. Whereas, learned counsel for the petitioner submits that complainant has taken away most of the articles when she left her matrimonial home with her brother and whatever was available with the petitioner, he has already got recovered the same.

5. Considering the fact that petitioner has joined investigation number of times and there are allegations and counter allegations, it would not be desirable to send petitioner behind bars just by way of punishment or causing harassment and the matter with regard to dowry articles can be sorted out during the course of trial.

6. In view of above, order dated June 17, 2014 is hereby, made absolute.

7. However, petitioner shall abide by all the conditions as envisaged under Section 438 (2) Cr.P.C.

MAY 14, 2015
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(JASPAL SINGH)
JUDGE