

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

**Criminal Misc. No. M-22318 of 2015
Date of Decision:-24.12.2015**

Dilbagh Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. Gurinderjit Singh, Deputy A.G., Punjab.

Mr. D.S. Kahlon, Advocate
for respondent No.2.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.142 dated 26.12.2014, under Sections 498-A, 406, 34 IPC, registered at Police Station Raja Sansi, District Amritsar Rural.

This Court vide order dated 13.7.2015, while issuing notice of motion, has granted interim bail to the petitioner subject to joining the investigation as and when directed by the Investigating Agency/Investigating Officer and to abide by the terms and conditions laid down under Section 438(2) Cr.P.C. Thereafter when reported to this

Court that petitioner has not joined the investigation, the petitioner was directed to join and co-operate with the investigation.

Learned State counsel, who is assisted by ASI Maninder Singh, has stated that pursuant to the order dated 13.7.2015 and subsequent order dated 11.12.2015. the petitioner has joined investigation and jewellery articles have been recovered from him.

However, learned counsel for the complainant submits that since some of the articles i.e. washing machine, T.V. and microwave oven etc. are yet to be recovered.

Heard.

Taking into consideration that there is no dispute that the marriage between the parties was took place on 29.12.2009. The valuable article i.e. jewellery has already been recovered. The contents of the complainant that other articles like washing machine, TV and microwave oven etc. have not been recovered, cannot be a ground to decline bail under Section 438 Cr.P.C as these are not execution proceedings.

In view of the above, the present petition is allowed and interim directions issued by this Court vide order dated 13.7.2015 are made absolute.

However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

December 24, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE