

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-33882-2014
Date of decision:28.05.2015**

Vinod Jangid @ Vinod Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.A.D.S.Sukhija, Advocate for the petitioner.

Mr. K.D.Sachdeva, Addl. A.G., Punjab.

Mr.Raman Goklaney, Advocate for the complainant.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.78 dated 28.7.2014 registered under Sections 406 and 498-A of the Indian Penal Code at Police Station, City Fazilka, District Fazilka.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioner submits that in compliance of the order passed by this Court, petitioner has joined the investigation and cooperated with the investigating agency in getting the dowry articles recovered. Since the petitioner is no more required for the purpose of any further investigation, he deserves the concession of anticipatory bail, at the hands of this Court.

On the other hand, learned counsel for the State, on instructions from ASI Mukhtiar Singh, Police Station, City Fazilka, submits that although the petitioner has joined the investigation and got recovered some dowry articles but all the dowry articles have not been got recovered by the petitioner. He prays for dismissal of the present petition.

Similarly, while supporting the contention raised by the learned counsel for the State, learned counsel for the complainant vehemently opposes the present petition, contending that since petitioner has not got recovered all the dowry articles, he is not entitled for anticipatory bail. He also prays for dismissal of the petition.

Having heard the learned counsel for the parties, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for concession of anticipatory bail. It is so said because after having granted interim protection vide order dated 14.10.2014, petitioner has joined the investigation and also got recovered the dowry articles. Learned counsel for the petitioner as well as learned counsel for the respondent-complainant are ad idem that this being a matrimonial dispute, there may be some chances of amicable settlement between the parties.

In view of the above and without commenting anything further on merits, lest it should prejudice the rights of either of the parties and also leaving the scope of an amicable settlement open, the order dated 14.10.2014 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

28.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE