

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-35087 of 2015

....

Date of decision:10.12.2015

Nishu Verma

....Petitioner

v.

State of Punjab

...Respondent

....

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

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

.....

Inderjit Singh, J.

The petitioner has filed this first petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.4 dated 6.1.2015 registered for the offences under Sections 498-A and 406 IPC at Police Station Women Cell, District Amritsar City.

Notice of motion has been issued in this case.

Ms. Simsi Dhir Malhotra, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Sarabjeet Singh, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the petitioner, learned Deputy

[2]

Advocate General, Punjab appearing for the respondent-State and Mr. Sarabjeet Singh, learned counsel for the complainant and have gone through the record.

The FIR has been got registered at the instance of respondent No.2. The petitioner has already joined the investigation and the main dowry articles have already been returned.

Learned counsel for the complainant as well as learned State counsel stated that gold articles and clothes of respondent No.2 are still to be recovered.

On the other hand, learned counsel for the petitioner argued that gold articles and clothes are already with respondent No.2 and when they have already returned other electronics articles etc. what they will do with the gold articles and clothes etc. of respondent No.2. Therefore, he argued that no dowry articles remained in the custody of the petitioner.

Present petitioner is husband of the complainant. He is on interim bail since November 2, 2015. Even this matter was sent to the Mediation & Conciliation Centre of this Court, but the mediation failed as respondent No.2 did not appear on one or two dates before the Mediator.

The petitioner is not required for any investigation or interrogation purposes. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the

[3]

same is allowed. The interim order dated 2.11.2015 passed by this Court granting interim bail to the petitioner is made absolute.

December 10, 2015.

(Inderjit Singh)
Judge

hsp