

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

CRM-M-36431 of 2015.

Decided on:-21.10.2015.

Sukhpreet Kaur.

.....Petitioner.

Versus

State of Punjab and others

.....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. Vinay Begra, Advocate
for the petitioner.

HARI PAL VERMA, J.

Petitioner Sukhpreet Kaur daughter of Shri Makhan Singh Chatha has filed the present petition under Section 482 read with Section 439(2) Cr.PC for setting aside the order dated 18.6.2015 (Annexure P-3) as well as the order dated 9.7.2015 (Annexure P-4) whereby the respondents No.2 and 3 have been granted anticipatory bail in FIR No.5 dated 9.5.2015 under Sections 406, 420, 498-A and 120-B IPC registered at Police Station NRI (Rural), District Jalandhar.

Learned counsel for the petitioner contends that in the FIR, there are specific allegations against respondents No.2 and 3 who are father-in-law and mother-in-law respectively of the petitioner-complainant. The

respondents No.2 and 3 have failed to effect recovery despite there being a direction to join the investigation and to cooperate with the investigating agency. It has also been submitted that there is a list of dowry articles as contained in Annexure P-5 and these articles are required to be recovered.

Learned counsel for the petitioner relies upon a judgment of this Court in ***Bhawna Chahar Versus Kusum Lata Solanki and others 2014(5) Law Herald 4184*** to contend that when recovery of dowry articles is to be effected and there are specific allegations that in-laws are in possession of such articles, anticipatory bail granted to the accused is liable to be cancelled.

I have heard learned counsel for the petitioner.

Admittedly, the petitioner is a resident of USA and her parental village is Jandusingha, Dala Patti. The respondents-accused are not staying in USA. The husband of the complainant i.e. son of respondents No.2 and 3 is also residing in USA. The respondents No.2 and 3 are old persons and have already joined the investigation. Merely because all the listed dowry articles have not been recovered cannot be considered as a valid ground for cancellation of bail. The complainant is required to establish the entrustment of dowry articles which can possibly be established during the trial only.

Considering the fact that the respondents No.2 and 3, who are father-in-law and mother-in-law of the petitioner-complainant, are living in India whereas the petitioner and her husband are staying in USA, this Court

feels that no case for cancellation of anticipatory bail is made out.

Accordingly, the present petition, being devoid of any merit, is dismissed.

October 21, 2015

Yag Dutt

(HARI PAL VERMA)
JUDGE