

CRM-M-39625 of 2014 (O&M)
Date of decision : 14.08.2015

Munish Kumar

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr.Yogesh Goel, Advocate
for the petitioner.

Mr. Arshdeep Singh Kler, DAG, Punjab.

Ms.Harpreet Kaur Dhillon, Advocate
for respondent No.2.

SHEKHER DHAWAN, J. (ORAL)

Petitioner-Munish Kumar has filed the present petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail.

The process of law was started in this case on the registration of FIR at the instance of Deepika that she was married to petitioner Munish Kumar on 07.12.2012. Sufficient dowry was given at the time of marriage but Munish Kumar and his family members were not satisfied with the dowry articles and treated her with cruelty and misappropriated istridhan/dowry articles in criminal conspiracy.

On filing of present petition for anticipatory bail, the parties had come with the plea that the compromise has been arrived at between the parties and on the request of present petitioner, the matter was referred to Mediation & Conciliation Centre but the mediation proceedings remained unsuccessful.

Learned counsel for the petitioner took the plea that custodial investigation of petitioner is not required as dowry articles have already been returned to the complainant. So, he be released on anticipatory bail.

Learned State counsel has opposed the prayer on the ground that main dowry articles are yet to be recovered from the petitioner which are in the shape of gold ornaments. Recovery of the same is to be effected which were entrusted to the petitioner. Custodial interrogation of the petitioner is required. So, the bail application be dismissed.

I have heard learned counsel for both the parties.

This Court is of the considered view that the custodial interrogation of the petitioner is required for the purpose of effecting recovery of dowry articles. No case is made out for grant of anticipatory bail to the petitioner. So, the present petition stands dismissed.

(SHEKHER DHAWAN)
JUDGE

August 14, 2015.

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