

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-41229 of 2014

.....

Date of decision:2.2.2015

Ashok Kumar

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Gurvinder S. Sandhu, Advocate for the petitioner.

Mr. S.S. Chandumajra, Deputy Advocate General, Punjab for
the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.38 dated 1.11.2012 registered for the offences under Sections 406 and 498-A IPC at Police Station Women Cell, Bathinda, District Bathinda.

Notice of motion has been issued in this case.

Mr. S.S. Chandumajra, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

The petitioner has already joined the investigation. There is

no mention of dowry articles in the FIR which were given at the time of marriage. Even during the arguments, learned counsel for the State has argued that there is no list of dowry articles. Only in the statement, there is mention that one gold 'Kara' and one ring had been given to the present petitioner.

Keeping in view the facts and circumstances of the present case, the petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody. He has only to face the trial before the trial Court.

Therefore, without discussing the facts in minute detail and without expressing any opinion on the merits of this case, this criminal miscellaneous petition is allowed and the interim order dated 3.12.2014 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

February 2, 2015.

(Inderjit Singh)
Judge

hsp