

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

CRM-M-4523 of 2015.
Decided on:-08.12.2015.

Kamal Dhally.

.....Petitioner.

Versus

State of Punjab and another

.....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. Gaurav Sharma, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Sandeep Arora, Advocate
for respondent No.2.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.89 dated 18.11.2014 under Sections 406 and 498-A IPC registered at Police Station Women Cell, District Jalandhar.

This Court vide order dated February 11, 2015 granted interim

bail to the petitioner to the satisfaction of the arresting officer and the matter was referred to the Mediation and Conciliation Centre of this Court, where the parties were directed to appear on February 26, 2015.

On September 07, 2015, learned counsel for the complainant-respondent No.2 had submitted that dowry articles are yet to be recovered from the petitioner and the same are lying in House No.476, Sector 26, Panchkula. Accordingly, the investigating officer was authorised to break open the lock of said house in order to effect recovery of the dowry articles lying in the house.

Today, learned counsel for the complainant-respondent No.2 submits that pursuant to order dated September 07, 2015 though some dowry articles have been recovered but recovery of all dowry articles has not been effected. He submits that some gold articles weighing about 2.5 Tolas only have been recovered as against the total gold articles weighing 26 Tolas.

Learned State counsel, on instructions from ASI Ravi Kumar, also submits that all the dowry articles have not been recovered.

Heard.

Taking into consideration the fact that pursuant to order dated 7.9.2015, the majority of the dowry articles which were lying in House No.476, Sector 26, Panchkula have been recovered though all the gold articles have not been recovered, the recovery of remaining gold articles would be a matter to be looked into during the trial, the present petition is

allowed and the interim bail granted to the petitioner by this Court vide order dated 11.2.2015 is made absolute.

However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

So far as contention of learned counsel for the complainant that despite the fact that she is no more interested to live with the petitioner, he is still harassing/disturbing her, this Court is not required to comment on the said allegation at this stage. However, the petitioner is advised not to interfere in the peaceful life of the complainant. In case the petitioner continues to harass her, she has the right to initiate appropriate proceedings under the relevant law.

December 08, 2015
Yag Dutt

(HARI PAL VERMA)
JUDGE