

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

**Crl. Misc. No.M- 3299 of 2016
Date of decision : 04.03.2016**

Deepshikha

.....Petitioner(s)

Versus

State of Punjab & Ors.

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

ANITA CHAUDHRY, J.

The petitioner is seeking cancellation of anticipatory bail allowed to the mother-in-law and the father-in-law by the Additional Sessions Judge, SAS Nagar (Mohali).

The counsel for the petitioner contends that the Court below committed an error while allowing anticipatory bail and a wrong fact was noted and bail should not have been granted and respondents no.2 & 3 had not co-operated with the Investigating Agency and the gold items were not returned, therefore, the bail should be cancelled under Section 439(2) Cr.P.C. Counsel has referred to the observations made in the order. Reliance was placed upon ***Bhawna Chahar Vs. Kusum Lata Solanki and others 2014(5) Law Herald 4184.***

I have gone through the judgment referred to by the petitioner. The same is not helpful and the facts of each case have to be examined.

The complainant got married in 2011. The FIR had been registered in 2015. The allegations against the in-laws were that they had harassed her and all the gold articles had been taken by them and the same had not been given back despite demand. The complainant in her lengthy complaint to the police had referred to the various episodes. She had mentioned about her job for which she had to travel to Delhi.

The petitioner claims that the dowry articles had still not been recovered.

A perusal of the record shows that respondents no.2 & 3 were directed to join the investigation. They had joined the investigation and some articles were recovered. The impugned order also notices the fact that some other articles were still to be recovered. It also notices the fact that the electronic items had been recovered. It also notices the fact that the complainant has refused to accept the double-bed saying that it was not same bed. The Court had compared the photographs and had noted that both the beds were similar looking. Noticing the facts and circumstances, the interim bail allowed to respondents no.2 & 3 was made absolute.

There are no allegation that respondents no.2 & 3 had made themselves un-available to the Investigating Agency after being released on bail. There are no allegations that respondents no.2 & 3 had violated any of the conditions imposed by the Court. There are no

allegations that an attempt was made by the police to recover more articles which they had failed. In my view, there are no sufficient grounds for the purpose of cancellation of bail.

The petition is dismissed in limine.

04.03.2016
sunil

(ANITA CHAUDHRY)
JUDGE