

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

CRM-M-30691-2016
Date of decision: 27.10.2017

Major Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr.Jitender Singh Dadwal, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Harbhajan Singh, Advocate, for
Mr. Sanjeev Goyal, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This is a petition under Section 438 Cr.P.C. filed by the petitioners for grant of anticipatory bail to them in case FIR No. 92 dated 06.08.2016 under Sections 498-A and 406 IPC, registered at Police Station Amargarh, District Sangrur.

Learned counsel for the petitioners contends that the marriage of their son Sandeep Singh was solemnized with the complainant Narinder Kaur on 09.11.2015 and it was a simple marriage. It is further contended that petitioner No.1 is aged 62 years and suffering with heat ailment. In fact, they had already disinherited their son and the daughter-in-law from their property by way of a publication issued on 17.04.2016 whereas the instant

FIR has been filed subsequent thereto only to harass them. It is further contended that they have already joined investigation in terms of the order dated 01.09.2016.

Learned counsel for the complainant at this stage urges that the interim protection granted to them should be vacated since there is specific allegations in the FIR against the petitioners for a demand of car as a dowry.

Learned counsel for the State, on instructions from ASI Jagdev Singh, submits that most of the dowry articles stand recovered other than four gold rings and one ear ring and that the petitioners herein have joined investigation.

It is well settled principle of law that bail should not be denied by using it as a method of recovery of gold/dowry articles. In any case, as stated, most of the dowry articles have already been recovered.

In view of the fact that the petitioners herein have joined investigation and most of the dowry articles stand recovered, the petition is allowed and interim order dated 01.09.2016 is hereby made absolute subject to the condition that the petitioners will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

27.10.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

No

Whether reportable

No