

Criminal Misc. M- No. 3192 of 2016 (O&M)

Date of decision : May 23, 2017

Sandeep Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. K.B.S. Mann, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. G.N. Malik, Advocate
for the complainant.

LISA GILL, J.

The petitioner, who is the husband of the complainant, seeks concession of anticipatory bail in FIR No. 113 dated 13.12.2015 registered under Section 498A/406 IPC at Police Station Kathunangal, District Amritsar.

It is submitted that the complainant was never harassed on account of dowry. The above said FIR has been registered only on account of suspicion which the complainant seems to have regarding illicit relations which the petitioner is alleged to have. The petitioner, it is submitted, has joined investigation. The articles belonging to the complainant have been recovered. The petitioner is ready and willing to face trial and is not likely to abscond.

Learned counsel for the State, on instructions from

HC Avtar Singh, affirms and verifies that the petitioner has indeed joined

investigation. It is not denied that certain articles have indeed been recovered though it is submitted that some articles are yet to be recovered.

Learned counsel for the complainant opposes this petition on the ground that recovery of gold jewellery is yet to be effected.

Learned counsel for the petitioner, while denying that any recovery is yet to be effected submits that even if it is so, bail cannot be denied solely on this ground. He relies on decisions of this Court in **Prit Pal Singh versus State of Punjab and another 2014 (5) RCR (Criminal) 771**, **Anil Rajput and others versus State of Haryana 2010 (6) RCR (Criminal) 1126**, **Uday Singh versus State of Haryana 2001 (1) RCR (Criminal) 354** and **Jagsir Singh versus State of Punjab and another 2013 (7) RCR (Criminal) 1853**.

Be that as it may, it is not disputed that the petitioner has joined investigation and has co-operated therein.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 29.01.2016 is made absolute.

May 23, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No