

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

Crl. Misc. M-10489 of 2017 (O&M)

Date of Decision: February 06, 2018

Harjinder Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parvinder Singh, Advocate for
Mr. N.S. Kandhola, Advocate
for the petitioners.

Mrs. Anju Arora, Addl. AG Punjab.

Mr. J.S. Toor, Advocate
for complainant/respondent No.2.

JAISHREE THAKUR, J. (Oral)

Status report filed by the respondent-State is taken on record.

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioners in the event of arrest in FIR No.03 dated 04.01.2017, under Sections 498-A, 406, 506, 120-B of the Indian Penal Code, registered at Police Station Morinda, District Ropar.

Learned counsel for the petitioners contends that the petitioners are falsely implicated in the present case and on the direction of this Court, have joined the investigation. It is also contended that nothing is to be recovered from them.

Learned State counsel, on instructions from Investigating

Officer as well as learned counsel for the complainant submit that though the petitioners have joined the investigation, however, some of the recoveries are yet to be effected.

I have heard learned counsel for the parties.

The petitioners herein are the mother-in-law, brother-in-law and sister-in-law of the complainant. It is submitted that the husband of the complainant was arrested and has already been allowed regular bail. Merely because recoveries of part of *Istridhan* are yet to be made, this court is not inclined to reject the petition. Denial of bail in normal circumstances cannot be used as a tool to effect recoveries. In view of the facts that the petitioners have joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 28.03.2017 granting interim bail to the petitioners is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

February 06, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No