

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

**CRM-M-15024-2018
Date of decision: 18.09.2018**

Ranjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. S.S. Khaira, Advocate,
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of interim bail to the petitioner in case FIR No. 17 dated 28.02.2018 under Sections 498-A, 406, 34 IPC, registered at Police Station Dorangla, District Gurdaspur.

Learned counsel for the complainant submits that the allegations as set out in the FIR are serious since there are allegations of Section 313 IPC. It is argued that the petitioner herein subjected the complainant to cruelty with the result she miscarried.

Learned counsel for the respondent-State submits that pursuant to the order dated 24.05.2018, the petitioner has joined the investigation and has also deposited one ring with the Investigating Officer on 31.05.2018.

She alleged that most of the gold items have been recovered while also submitting that after investigation offence under Section 313 IPC is not born out.

I have heard learned counsel for the parties and in view of the fact that the petitioner has joined the investigation and there are plethora of judgments to the effect that bail should not be denied 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 petitioner has joined the investigation, at this stage, without commenting on the merits of the case, the petition is allowed and order dated 24.05.2018 granting interim bail to the petitioner 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.

18.09.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.