

CRM-M-17303-2018(O&M)

Date of decision : 27.09.2018

Imran Ali

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MS JUSTICE JAISHREE THAKUR

Present : Mr. Liaqat Ali, Advocate for the petitioner.

Ms.Rajni Gupta, DAG, Punjab.

Mr.K.B.Raheja, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This is a petition for the grant of anticipatory bail filed by the petitioner in case bearing FIR No. 33 dated 31.03.2008, under Sections 498-A, 406, 494 IPC, registered at Police Station City-2, Malerkotla, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has joined investigation and has handed over most of the dowry articles which are inclusive of bed, refrigerator, cooler, motor cycle etc. However, the complainant has alleged that 4.5 tolas of gold is yet to be recovered but no bills of the same have been submitted. Learned State counsel has also acceded to this fact.

There are catena of judgments to the effect that bail should not be denied only on account of the recoveries having not been made, **Anil Rajput and others v. State of Haryana 2010(6) RCR(Criminal) 1126.**

In view of the fact that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 26.04.2018 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.

Petition stands disposed of.

(JAISHREE THAKUR)
JUDGE

27.09.2018
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No