

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21445-2018

Date of decision: 13.11.2018

Sunita Antil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ramnish Puri, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Parminder Singh, 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 anticipatory bail to the petitioner in case FIR No. 1054 dated 21.10.2017 under Sections 406, 420, 467, 468, 471, 498-A, 120-B, 506 IPC, registered at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner contends that the petitioner herein is the mother-in-law of the complainant who had lodged the FIR. It is argued that he has joined investigation and one gold set has been handed over to the complainant.

Learned counsel appearing on behalf of the complainant submits that FD of ₹ 6 lacs, gold articles and a car, which were given in the marriage have not been recovered so far.

Learned counsel for the respondent-State submits that there is a

disclosure statement that has been given by Sandeep Antil, husband of the complainant and son of the petitioner that he has sold the gold articles as well as had sold the SUV, while also submitting that the gold that had been kept in the mattresses, has been recovered and has been handed over.

I have heard learned counsel for the petitioner as well as learned counsel for the respondent-State and the complainant.

Admittedly, Sandeep Antil had been denied anticipatory bail by this Court and thereafter he surrendered and is now on regular bail.

An argument has been raised by counsel for the complainant that bail ought to be denied on the ground that the recoveries have not been made. However, this Court is not inclined to agree with the complainant while relying upon the judgments rendered in *Anil Rajput vs. State of Haryana, 2010(6) R.C.R. (CrL) 1126*.

In view of the fact that the petitioner herein is the mother-in-law of the complainant and part of the gold articles that had been given to her as dowry has been recovered, this Court confirms the anticipatory bail that was allowed to the petitioner by order dated 06.08.2018 subject to the condition that the petitioner 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.

13.11.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes.

Whether reportable

No.