

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

Crl. Misc. M-21813-2018 (O&M)

Date of Decision: November 16, 2018

Sukhdev Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. C.S. Bagri, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 50 dated 03.05.2018 under Section 498-A of the Indian Penal Code, registered at Police Station Amargarh, District City Sangrur.

Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner inter-alia contends that the instant FIR has been filed after a time gap of almost three years of filing a petition under DV Act while also contending that the complainant has filed a suit for permanent injunction restraining him from alienating his land. It is further contending that under the DV Act, he is already paying interim maintenance as assessed. Learned counsel also urges that since he has joined the

investigation, certain articles have already been recovered .

Learned State counsel, on instructions from the Investigating Officer, submits that gold articles are yet to be recovered.

I have heard learned counsel for the parties and in view of the fact that the petitioner has joined the investigation and bail cannot be dis-allowed merely on account of fact that certain recoveries of gold are yet to be effected, which is a matter of evidence that has to be led, without commenting on the merits of the case, the petition is allowed and order dated 21.05.2018 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.

November 16, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No