

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

**CRM-M-25631-2016
Date of decision: 24.04.2018**

Harminder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.J.S. Sandhu, Advocate,
for the petitioner.

Mrs. Anju Arora, Addl. A.G., Punjab.

Mr. Arihant Jain, 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. 81 dated 06.07.2016, under Sections 406, 498-A, 354, 34 IPC, registered at Police Station City Sunam, District Sangrur.

Learned counsel for the petitioner would contend that the allegations as set out in the FIR are not sustainable while arguing that the petitioner has joined the investigation pursuant to the order dated 28.07.2016. It is also submitted that after the matter was investigated, charges have been framed against the petitioner and he is facing trial and, therefore, no useful purpose would be served, if the interim bail granted is not made absolute.

Per contra, learned counsel appearing on behalf of the respondent-State submits that recoveries have yet not been effected. Similar

statement has been made by learned counsel appearing on behalf of the complainant, who submits that there has been non-compliance of the order whereby the petitioner had been directed to return the dowry articles including the gold ornaments.

At this stage, learned counsel for the petitioner submits that he is in possession of a CD which would reflect that the complainant had left the premises with all her Istridhan.

As regards the question of recovery of dowry articles, including the gold ornaments, learned counsel for the petitioner herein submits that an amount of Rupees Five lacs in the shape of fixed deposit would be furnished with the trial Court within a period of 15 days and in case the complainant is successful in the proceedings under the FIR in question, the same may be released to her. Ordered accordingly.

I have heard learned counsel for the parties and keeping in view the fact that the petitioner has joined the investigation and charges have been framed the interim order dated 28.07.2016 is hereby made absolute 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.

Petition stands allowed accordingly.

24.04.2018*Satyawan***(J AISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.