

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

CRM-M-25882-2017

Date of decision: 20.07.2018

Nirmal Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Inderjit Sharma, Advocate
for the petitioners.

Ms.Rajni Gupta, Sr. DAG, Punjab.

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 petitioners in case FIR No. 64 dated
24.06.2017 under Sections 406, 498-A IPC, registered at Police Station
Sadar Batala.

This Court was pleased to pass the following order on
20.07.2017 :-

“Heard.

*It is contended that the instant FIR has been lodged under
Sections 406, 498-A of the Indian Penal Code and the petitioners
herein are the father-in-law and mother-in-law of the complainant.
It is submitted that there are no specific allegations levelled
against the petitioners by the complainant in the FIR. It is stated
that no recoveries are to be made from the petitioners and they are
ready to join the investigation.*

Notice of motion for 15.12.2017.

Meanwhile, in the event of arrest, the petitioners be

released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

Further on 28.03.2018, this Court was pleased to pass the following order :-

“By an order dated 20.07.2017, the petitioners herein had been directed to join the investigation, while granting them interim bail.

Learned counsel for the respondent-State, on instructions from ASI Harjit Singh, submits that though the petitioners herein have joined the investigation, but they have neither cooperated nor handed over the dowry articles.

On this, learned counsel for the petitioners herein relies upon photographs annexed with this petition, to submit that the dowry articles have already been recovered.

I have heard learned counsel for the parties.

The petitioners herein are directed to appear before the Investigating Officer, who will verify these photographs annexed with the petition and submit a report in this regard.

Adjourned to 20.07.2018.

Interim order to continue.”

Learned counsel for the petitioners submits that the petitioners have joined the investigation and the handing over the dowry articles.

Learned counsel for the respondent-State, on instructions from ASI Nirmal Singh, confirms the factum of joining investigation by the petitioners while also submitting that the dowry articles have been recovered.

Since the petitioners have joined the investigation, the petition is allowed and interim order dated 20.07.2017 is hereby made absolute subject to the condition that the petitioners 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.

20.07.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.