

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

**Crl. Misc. No.M- 34699 of 2018 (O&M)
Date of decision : 10.10.2018**

Sakshita Jain

.....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rakesh Nehra, Advocate
for the petitioner.

ANITA CHAUDHRY, J.(ORAL)

This petition has been filed seeking directions to the respondents to recover the jewellery, ATM Card, bank passbook and documents from the husband. He had earlier been allowed anticipatory bail. The petitioner was asked to place on record the interim orders passed on the anticipatory bail. Those have been placed on record today.

Counsel for the petitioner contends that an FIR was registered against the private respondents and they had approached the Additional Sessions Judge, Rohtak for anticipatory bail and interim anticipatory bail was allowed and the bail applications were resisted on the ground that dowry articles were to be recovered and the private respondents were directed to join the investigation but the husband, the father-in-law and the mother-in-law did not get the dowry articles recovered and the police

officials had connived with the police and directions are required to be given so that the recovery can be effected.

A perusal of the order dated 23.02.2018 shows that the parties were referred for mediation but compromise could not be effected. The Court had called for the status report and it was reported that the accused had joined the investigation and had produced the dowry articles but the complainant had refused to identify or take the dowry articles until all the dowry articles were given as per her list. The Additional Sessions Judge then referred to a judgment and held that anticipatory bail could not be denied on account of non-recovery of the dowry articles and the order allowing interim bail was made absolute.

The above would show that the in-laws had produced some dowry articles which were refused by the complainant. The petitioner was insisting on some more articles which implies that there was a dispute relating to the articles. Since it is disputed, it will for the complainant to prove and initiate proceedings accordingly for recovery of the same. The petition under Section 482 Cr.P.C. is not maintainable.

The petition is dismissed.

10.10.2018

Sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No