

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No.M-10949 of 2019
Date of Decision: 06.09.2019

Aman Chopra

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Rahul Singh Birdi, Advocate
for respondent no.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.19 dated 23.01.2019 under Sections 406, 498-A IPC registered at Police Station Women Cell, District Ludhiana.

Learned counsel for the petitioner states that marriage between the parties was solemnized on 12.02.2010 and out of this wedlock, a daughter was born who is 6 years old and is staying with the petitioner. The present FIR has been registered after about 9 years of the marriage.

Learned counsel for the complainant states that the complainant is ready to stay with the petitioner, but since she has started

having faith in Christianity, the petitioner is not taking her back to her matrimonial home. He further states that recovery of gold articles is yet to be made in the case.

On the other hand, learned State counsel, on instructions from ASI Satnam Singh, submits that the petitioner has joined the investigation and recovery in the case could not been effected, as no bills have been provided by the complainant.

I have heard learned counsel for the parties.

The petitioner is stated to have joined the investigation. Merely because recovery of some gold articles is yet to be effected, is no ground to decline bail to the petitioner, more particularly when the marriage is of 12.02.2010 and the FIR in question was registered on 23.01.2019 and no bills in respect of the said gold articles have been supplied by the complainant.

Accordingly, the present petition is allowed and the interim order dated 14.5.2019 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

September 06, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No