

CRM-M-34723-2016

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

102

CRM-M-34723-2016

Narender Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

102(2)

CRM-M-34337-2016

Amit Uppal

.....Petitioner

Versus

State of Punjab and another

.....Respondents

Date of Decision:15.05.2019

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

Present: Mr. Pradeep Rajput, Advocate,  
for the petitioner(s).

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

Mr. Veneet Sharma, Advocate,  
for the complainant.

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HARI PAL VERMA, J.

This order shall dispose of two petitions i.e. CRM-M-34723-2016 (Narender Kumar Versus State of Punjab) and CRM-M-34337-2016 (Amit Uppal Versus State of Punjab and another), which have been filed by father-in-law and brother-in-law of the complainant, respectively.

Prayer in these petitions filed under Section 438 of the Code of

Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner(s)

in FIR No.97 dated 06.08.2016 under Sections 498-A, 406, 323, 34 IPC, registered at Police Station Patti, Tarn Taran.

The allegation against the petitioner-Narender Kumar and Amit Uppal is that they used to harass the complainant for more dowry. Learned Additional Sessions Judge, Tarn Taran vide order dated 14.09.2016 had granted the concession of anticipatory bail to Vyas Rani, who is mother-in-law of the complainant. Petitioner-Narender Kumar is father-in-law and is about 64 years of age, whereas petitioner-Amit Uppal is brother-in-law of the complainant.

Learned counsel for the petitioners states that pursuant to the orders dated 28.09.2016 and 26.09.2016 passed by this Court, petitioner(s) have joined the investigation. The allegation of demand of dowry or harassment for more dowry is yet to be established during the course of trial.

Learned State counsel, on instructions from the Investigating Officer, does not dispute the aforesaid fact, however, states that recovery of gold ornaments in the case is yet to be effected.

Heard learned counsel for the parties.

The petitioner(s) have joined the investigation. Though some recovery is yet to be effected in the case, however, anticipatory bail cannot be declined on the mere ground that some recovery is yet to be effected, more particularly when the petitioners-Narender Kumar and Amit Uppal are father-in-law and brother-in-law of the complainant and CRM-M-37257-2016 filed by Yatin Uppal @ Jatin Uppal, who is husband of the complainant, is pending and the same has been dismissed by this Court vide separate order of even date.

Accordingly, CRM-M-34723-2016 and CRM-M-34337-2016 are allowed and the interim bail granted to the petitioners-Narender Kumar and Amit Uppal vide orders dated 28.09.2016 and 26.09.2016 is made absolute.

However, if required, the petitioner(s) shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

**May 15, 2019**  
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**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No