

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

CRM-M No.22326 of 2019
Date of decision: 21st August, 2019

Vijay Kumar

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Parshotam Lal Singla, Advocate for the petitioner.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for respondent No.1/State.

Mr. Umesh Kumar Kanwar, Advocate for respondent No.2.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner husband Vijay Kumar in this first anticipatory bail application under Section 438 Cr.P.C. in case bearing FIR No.25 dated 11.04.2019 under Sections 406 and 498-A IPC pertaining to Police Station Women Cell, Jalandhar, have come about on the complaint of the wife Sarabjit Kaur. In her allegations, the complainant claims that her marriage was solemnized with the petitioner on 02.08.2017 and that at the marriage, sufficient dowry articles including costly items like gold as well as cash were given. However, the accused were not happy with the same and had been demanding more including cash, leading to registration of the present case.

Learned counsel for the petitioner Mr. Parshotam Lal Singla, Advocate inter alia contends that the petitioner has joined the

investigation and handed over the entire articles of Istridhan and thus, nothing remains to be recovered from the petitioner, which is conceded to at the bar by Mr. H.S. Grewal, Addl. Advocate General, Punjab on instructions from ASI Jiwan Lal, Police Station Women, Jalandhar City. However, Mr. Umesh Kumar Kanwar, Advocate representing respondent No.2 claims that certain certificates of the complainant are yet to be recovered.

In view of what has been canvassed before this Court by the two sides and the stand of the State, this Court is of the opinion that it would be travesty of justice to send the petition behind bars. Accordingly, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 21, 2019

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No