

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

CRM-M-5850 of 2019 (O&M)

Date of Decision: February 03, 2020

Sukhdeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Nitin Rathour, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG Punjab.

Mr. Veneet Sharma, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.75 dated 02.12.2018, registered under Sections 406, 498-A of Indian Penal Code at Police Station Women Cell, Amritsar.

Counsel for the petitioner contends that the petitioner herein has been falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

On the other hand, counsel for respondent No.2 would submit

that in fact, recovery of gold items is yet to be made.

Per contra, counsel for the respondent-State, on instructions from the Investigating Officer would submit that though petitioner herein did join the investigation, however, recovery qua the gold items is yet to be made.

I have heard all the three counsel for the parties.

There are plethora of judgments to the effect that bail should not be denied only on account of the fact that recoveries have not been made. Since most of the dowry articles other than the gold items have been recovered, the petitioner herein is directed to deposit an amount of ₹ 5,00,000/- in the name of the complainant in the shape of an FDR with some nationalized bank fetching higher interest with the trial court/Illaq Magistrate within a period of one month from today, in lieu of the alleged recovery of the gold items. It is made clear that the said amount of ₹ 5,00,000/- would be disbursed to the complainant in case, she would be successful in her allegations, otherwise it would be returned to the petitioner.

At this stage, without commenting on the merits of the case, the petition is allowed with the aforesaid directions and order granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

Needless to say, in case, the petitioner herein fails to comply with the aforesaid directions within the stipulated period of one month, the

instant petition shall be deemed to be dismissed and the respondent-State shall be at liberty to proceed against him in accordance with law.

February 03, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No