

CRM-M-15482-2020

Date of decision : July 28, 2020

Jarnail Singh and another

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vishal Garg Narwana, Advocate for the petitioners.

Mr. V.G. Jauhar, Sr.DAG, Punjab.

Mr. Simranjeet Singh, Advocate for the complainant.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 0005, dated 04.03.2020 under Sections 498A, 406 IPC registered at Police Station City NRI Mohali, Punjab.

It is submitted that the petitioners have been involved in this FIR merely due to their relationship with the complainant - Manpreet Kaur, who is their daughter-in-law. The petitioner's son was married with the complainant on 24.04.2013. The petitioner's son as well as the complainant are admittedly residing in Canada at this point of time and it is submitted that, the petitioners have joined investigation. They undertake to co-operate with investigation. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Ravinder Singh, verifies that the petitioners have joined investigation. It is further informed that 30 grams of gold has been recovered.

Learned counsel for the complainant submits that recovery of Rs.6,00,000/- and rest of the gold is yet to be effected. However, it is not denied that the complainant as well as her husband i.e. the petitioner's son are in Canada at this point of time. It is verified that the petitioners are not involved in any other criminal case. It has been held in **Prit Pal Singh v. State of Punjab and another, 2014 (5) RCR (Criminal) 771** that non-recovery of certain articles by itself, cannot be a ground for not affording the concession of anticipatory bail to the accused.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts before the trial Court, if afforded anticipatory bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 17.06.2020 is made absolute.

July 28, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No