

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

CRM-M-47129 of 2019 (O&M)

Date of Decision: February 19, 2020

Parveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Namit Khurana, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

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.91 dated 28.08.2019, under Sections 498-A, 323, 406, 506, 377, 34 of the Indian Penal Code, registered at Police Station Women Jhajjar, District Jhajjar.

Learned counsel for the petitioner contends that the petitioner is 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.

Learned State counsel, on instructions from the Investigating Officer, submits that though the petitioner has joined the investigation, but recovery of some of the dowry articles as well as gold is yet to be made.

I have heard learned counsel for the parties.

There is plethora of judgments to the effect that bail should not be denied only on account of the fact that recoveries have not been made.

Considering the fact that the marriage between the parties was solemnized in the year 2016 and the matrimonial dispute arose in August, 2019, at this stage, without commenting on the merits of the case, since the petitioner has joined the investigation and got recovered most of the dowry articles, the petition is allowed and order dated 05.11.2019 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.

February 19, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No