

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

CRM-M- 8439-2021 (O&M)
Date of Decision: 03.09.2021
(Heard through V.C.)

Kuldeep Singh

... Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. M. S. Khaira, Advocate
 for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

Mr. Munish Puri, Advocate for the complainant.

JAISHREE THAKUR, J.(Oral)

1. The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No. 119 dated 26.10.2020 under Sections 406, 498-A and Sections 354, 376, 511, 506 and 120 IPC (later on added) registered at Police Station Behrampur, District Gurdaspur.

2. Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on instructions of this Court dated 22.02.2021, he has joined the investigation. It is contended that nothing is to

be recovered from him while further arguing that the recovery would be matter of trial.

3. At this stage, learned counsel appearing for the complainant opposes the grant of bail to the petitioner while contending that some recoveries are yet to be made.

4. Learned State counsel, on instructions from SI Mohan Lal submits that the matter has been investigated and the challan stands presented and the proceedings qua the husband to declare him as a P.O. will be initiated though the petitioner has joined the investigation but some recoveries are yet to be effected.

5. I have heard learned counsel for the parties and have perused the file.

6. It has been held in the judgment '*Bhupinder Singh etc. vs. State of Punjab, 2014(2)RCR (Criminal) 109* that bail cannot be denied only on the ground that recoveries have not been effected.

7. In view of the facts that the matter has been investigated qua the petitioner and he has already joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 22.02.2021 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.

03.09.2021
Seema Goran

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No