

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

**CRM-M-6623-2019(O&M)
Date of Decision: 27.07.2021**

(Heard through VC)

Ricky Jaitley

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vikram Anand, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

Mr. Naveen Sharma, Advocate
for the complainant.

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 case FIR No.66 dated 21.11.2018 under Sections 406 & 498-A registered at Police Station Women, Police Commissionerate Jalandhar.

Learned counsel for the petitioner herein would *inter alia* contends that the petitioner has been falsely implicated in the present case and on the direction of this Court vide order dated 13.02.2019, has joined the investigation and most of the dowry articles have already been recovered by the Police.

Learned State counsel, on instructions submits that petitioner has joined the investigation and that the matter has been investigated.

I have heard learned counsel for the parties and have perused the file. The petitioner has not been able to point out as to when and under what circumstances, the bail order has been violated by the respondent herein. Merely because recoveries have not been effected, bail allowed cannot be cancelled. Reliance in this regard can be placed upon a judgment rendered by this Court in '***Bhupinder Singh etc. Vs. State of Punjab, 2014(2) R.C.R.(Criminal) 109***', wherein it is held that bail cannot be denied only on the ground that recoveries have not been effected.

In view of the facts that the matter has been investigated and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 13.02.2019 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.

27.07.2021
ps-I

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No