

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

CRM-M No.9781 of 2020 (O&M)

Date of Decision:19.08.2021

(Heard through VC)

Swaranjit Kaur and another

..Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kuldeep Singh Saini, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.95 dated 17.10.2019 under Sections 498-A, 406 IPC registered at Police Station Khamano, District Fatehgarh Sahib.

2. By an order dated 05.03.2020, this Court had granted interim bail to the petitioners and directed them to join investigation.

3. Learned counsel appearing for the petitioners would contend that pursuant to order dated 05.03.2020, the petitioners have joined investigation.

4. Learned counsel appearing on behalf of the respondent-State on instructions from ASI Ram Singh submits that though the petitioners have joined investigation, recovery of some jewellery items is yet to be effected.

5. I have heard learned counsel for the parties.

6. It has been held in the judgment rendered in ***Bhupinder Singh etc. Vs. State of Punjab 2014 (2) CRCR (Criminal) 109*** that bail cannot be denied only on the ground that recoveries have not been effected. Moreover, the issue of recovery of dowry articles is a matter of trial. In view of the fact that the petitioners have joined investigation, the instant petition is allowed and the order dated 05.03.2020 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

August 19, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No