

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

**CRM-M-9533-2020(O&M)
Date of Decision: 16.08.2021**

(Heard through VC)

Surinder Pal Bhatti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Jasraj Singh, Advocate
for the petitioner.

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

Mr. R.P. Dhir, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.21 dated 14.02.2020 under Sections 406 & 498-A of IPC registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner herein would submit that pursuant to order dated 04.03.2020, the petitioner, who is the mother-in-law of the complainant has joined investigation. He further submits that in fact the son of the petitioner i.e. the husband of the complainant has already been allowed anticipatory bail by this Court vide order dated 01.07.2021 passed in *CRM-M-11800-2020*.

Learned State counsel submits that though the petitioner has joined the investigation, however, no recoveries have been effected from her.

Learned counsel appearing on behalf of the complainant would also submit that the recoveries have not been effected as on date.

I have heard learned counsel for the parties and have perused the file. Merely because recoveries have not been effected, bail cannot be denied. 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 the petitioner has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 04.03.2020 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.

16.08.2021
ps-I

(JAISHREE THAKUR)
JUDGE

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