

101+208

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

**CRM-876-2020 in/and
CRM-M-15688-2019 (O&M)
Date of Decision: 14.07.2021
(Heard through VC)**

Seema Rani

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. S.K. Singla, Advocate for the petitioner.

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

Mr. Rajinder Goyal, Advocate for respondent No.2.

JAISHREE THAKUR, J. (Oral)

CRM-876-2020

Application is allowed as prayed for and reply on behalf of respondent No.2 has been taken on record.

CRM-M-15688-2019

This is the petition that has been filed for cancellation of bail allowed to respondent No.2-Suman Devi in case FIR No.122 dated 13.11.2018 under Sections 406, 498-A IPC registered at Police Station Women, District Police Commissionerate Ludhiana granted by the Additional Sessions Judge, Ludhiana on 08.02.2019.

Learned counsel for the petitioner herein would argue that there are specific allegations in the said FIR pertaining to earrings and

silver anklets having been given to Suman Devi. There are also photographs to the effect. However, the Additional Sessions Judge, Ludhiana without having effected recovery of the same, has allowed the bail.

Learned counsel appearing on behalf of the accused/respondent No.2 would submit that there is no infirmity in order dated 08.02.2019. It is argued that the Additional Sessions Judge, Ludhiana while allowing bail to Suman Devi, respondent No.2 specifically stated that the culpability of the accused would be adjudicated at the time of trial.

I have heard learned counsel for the parties and have perused the impugned order whereby bail was allowed to Suman Devi and find that there is no infirmity in the same. 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 cancellation. 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.

The present petition is dismissed.

14.07.2021

ps-I

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No