

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

CRM-M-16704-2019(O&M)

Date of Decision: 18.08.2021

(Heard through VC)

Rupinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Chetan Bansal, Advocate
for the petitioner.

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

Mr. Karanjit Singh, Advocate
for the private respondents.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed seeking cancellation of pre-arrest bail as allowed to respondents No.2 and 3 by the Additional Sessions Judge, Amritsar by an order dated 25.03.2019 in FIR No.11 dated 13.03.2019 under Section 498-A IPC registered at Police Station Women Amrtisar.

Learned counsel for the petitioner herein at the very outset does not press request for cancellation of bail granted to respondent No.2 and would contend that anticipatory bail has wrongly been allowed to respondent No.3, who is none other than the father-in-law of the petitioner. It is argued that there are specific allegations in the said FIR regarding entrustment of the dowry articles, however, there has been no recovery of the gold articles.

Learned counsel appearing on behalf of private respondents would submit that the respondent No.3 had joined investigation and most of the gold articles have already been given back.

I have heard learned counsel for the parties and find that there is no ground for cancellation of the bail order dated 25.03.2019. Merely because some gold items have not been recovered, anticipatory bail granted to the father-in-law 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*'. Moreover, as noticed by the Additional Sessions Judge, Amritsar, it is yet to be established whether the alleged articles entrusted at the time of marriage were the part of dowry or gifts. It would be a matter of trial. On the asking of the Court, whether respondent No.3 has any time after having been granted the benefit of anticipatory bail violated any of the conditions as specified under Section 438(2) Cr.P.C., this Court is informed that there is no violation as on date.

Consequently, petition stands dismissed.

18.08.2021
ps-I

(JAISHREE THAKUR)
JUDGE

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