

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

CRM-M No.31752 of 2019 (O&M)

Date of Decision:13.10.2021

(Heard through VC)

Santokh Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. J.S. Dhaliwal, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.27 dated 05.07.2019 registered under Sections 498-A, 406, 323 IPC registered at Police Station Ghuman Kalan, District Gurdaspur.

2. Counsel for the petitioner herein would contend that the matter had been referred to the Mediation and Conciliation Centre of this Court, however, the same was unsuccessful. It is submitted that the petitioner had joined investigation in terms of the order dated 20.11.2019. The matter has been investigated and the challan stands presented and the petitioner is facing trial.

3. Learned counsel appearing on behalf of the respondent-State on instructions from ASI Sukhjinder Singh would submit that the petitioner herein has joined the investigation.

4. Learned counsel appearing on behalf of the complainant opposes grant of bail to the petitioners while contending that recovery of some gold articles 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. In view of the fact that the petitioner has joined investigation, the instant petition is allowed and the order dated 20.11.2019 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

October 13, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No