

CRM-M-38685-2020

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

CRM-M-38685-2020

Date of decision:23.02.2021

Rajinder Kaur

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Bandana Dogra, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. Himanshu Puri, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.61 dated 30.07.2020 registered at Police Station Bholath, District Kapurthala, under Sections 498-A and 406 IPC.

Vide order dated 26.11.2020 passed by this Court, the petitioner was granted ad-interim anticipatory bail.

Learned State counsel, on instructions from SI Surat Singh, points out that though the petitioner has joined the investigation, yet the dowry articles are yet to be recovered from her.

Learned counsel for the petitioner states that the petitioner is the mother-in-law of the complainant. The marriage of the complainant with the son of the petitioner was solemnized on 22.03.2019 and no child was born out of this wedlock. She further submits that the father-in-law and

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husband of the complainant have been residing abroad since 05.04.2019 and 10.05.2019 respectively.

I have heard learned counsel for the parties.

A Coordinate Bench of this Court, in case titled 'Bhupinder Singh and others Vs. State of Punjab', 2014(2) RCR (Criminal) 109, held that in the FIR under Sections 498-A and 406 IPC, interim bail cannot be rejected on the ground that dowry articles have not been returned.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 26.11.2020 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

23.02.2021
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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No