

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-42476-2020
Decided on : 06.09.2021

Sunil Kumar Vig

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashish Verma, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Prateek Sodhi, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.40 dated 29.08.2020 under Sections 498-A and 406 IPC 1860 registered at Police Station Women Cell District Amritsar.

Learned counsel for the petitioner submits that in compliance of order dated 24.02.2021 petitioner has joined the investigation and all the dowry articles, which were in his possession, has since been returned to the complainant.

Learned counsel for the State assisted by learned counsel for the complainant has disputed the said fact and submit that though some gold ornaments have been recovered, however, many more gold ornaments given to the petitioner at the time of marriage, have not yet been returned.

Learned counsel for the petitioner has invited the attention of

this Court to the allegations levelled in the FIR in question and submits that perusal of the contents of the FIR clearly reveals that no allegations of any demand of dowry has been levelled therein. He further submits that even as per the contents of the FIR only one gold ring had been given to the petitioner at the time of phera.

Heard learned counsel for the parties and perused the material available on record.

Since as per instructions of learned State counsel some gold ornaments have already been recovered, this Court does not find any reason not to make order dated 24.02.2021 absolute more so, since the allegations levelled in the FIR was that only one gold ring was handed over to the petitioner during phera and as far as other gold ornaments are concerned, there are no prima facie allegations in the FIR that pursuant to any demand the same were handed over to the petitioner.

In view of the above, the petition is allowed and interim order dated 24.02.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

06.09.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No