

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

CRM-M-44274 of 2020

Date of Decision: 22.02.2021

Mukhtiar Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Kuldip Singh, Advocate for petitioner.

Ms. Samina Dhir, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

This is a petition seeking anticipatory bail in FIR No. 186 dated 28.11.2020, under Sections 406, 494 IPC, registered at Police Station Sadar Jalalabad, District Fazilka.

The FIR is fall out of matrimonial dispute. The petitioner was granted pre-arrest bail by Additional Sessions Judge, Fazilka vide order dated 10.12.2020. The bail was cancelled on 17.12.2020 on the ground that albeit the petitioner had joined the investigation but was not co-operating for effecting recovery of dowry articles.

On 30.12.2020 notice was issued and interim bail was granted subject to petitioner's joining investigation. Learned State counsel sought time to have instructions whether police had a list of items to be recovered.

Learned State counsel on instructions from ASI Satnam submits that the petitioner has joined investigation but dowry articles mainly gold articles are yet to be recovered. She fairly submits that there is claim and counter claim with regard to said articles i.e. the allegations of complainant are that gold ornaments are with the petitioner whereas as per the petitioner those were taken away by the complainant.

The petitioner had now also joined investigation, apart from gold ornaments, majority of dowry articles stand recovered. The issue with regard to ornaments need deeper probe and would be the subject matter of the trial.

Considering the facts, the interim bail granted on 30.12.2020 is made absolute.

[AVNEESH JHINGAN]
JUDGE

22nd February, 2021
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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | No |