

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

CRM-M-40377-2019  
Decided on : 09.12.2021

Manhazur Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Amit Arora, Advocate  
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Ms. Jasneet Mehra, Advocate  
for the complainant.

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**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.121 dated 16.07.2019 under Sections 498-A IPC (Section 406 IPC added later on) registered at Police Station Gharinda District Amritsar Rural.

Learned counsel for the petitioner states that on account of a marital discord between the parties, FIR in question was registered against the petitioner. He further submits that pursuant to order dated 30.09.2021, passed by this Court, the petitioner has joined the investigation. It has also been submitted that whatever gold ornaments were left behind by the complainant while leaving the matrimonial home, stands duly returned to the investigating agency.

Learned State counsel assisted by counsel for the complainant does not dispute the factum of petitioner having joined the investigation.

However, she on instructions from ASI Daljit Singh states that few gold

ornaments have not yet been recovered including the Swift Car, which was given to the petitioner at the time of marriage.

Learned counsel for the petitioner, however, has vehemently controverted the factum of he still being in possession of any more dowry articles including gold ornaments and Swift car. He submits that there is documentary evidence in the form of a video recording wherein the complainant at the time of leaving the matrimonial home had taken alongwith her all gold ornaments including the Swift car, which was allegedly presented at the time of marriage.

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

The State has failed to spell out as to in what manner the petitioner has not cooperated with the investigating agency. Merely because recovery of a few gold ornaments has not been effected alongwith the Swift car, which as already observed hereinabove, has been vehemently disputed by the counsel opposite would not be a ground for denial of bail.

The petition is allowed and interim order dated 30.09.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.12.2021  
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**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned:  
Whether reportable :

Yes/No  
Yes/No