

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

CRM-M-46921-2019(O&M)

Date of Decision: 18.08.2021

(Heard through VC)

Sumeet Saini

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rahul Sharma, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Mr. Dinesh Mahajan, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.82 dated 20.09.2019 under Sections 406 & 498-A of IPC registered at Police Station Division No.1, District Pathankot.

Learned counsel for the petitioner herein would contend that pursuant to the order dated 05.02.2020 he has joined investigation and handed over whatever articles were in his possession including an I-10 car. Whereas learned counsel appearing on behalf of the complainant would submit that in fact the petitioner herein has not got the entire dowry articles recovered nor is he paying maintenance under Section 125 Cr.P.C.

Learned counsel for the petitioner further submitted that once he has joined investigation, bail cannot be denied to him only on account that recoveries are yet to be effected. Reliance in this regard has been placed upon a judgment rendered by this Court in '**Bhupinder Singh etc. Vs. State of Punjab, 2014(2) R.C.R.(Criminal) 109**', wherein it is held that bail cannot be denied only on the ground that recoveries have not been effected.

Learned State counsel, on instructions submits that petitioner has joined the investigation and that the matter has been investigated.

In view of the facts that the matter has been investigated and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 05.02.2020 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

18.08.2021

ps-I

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No