

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

CRM-M-11889-2020

Date of decision : 17.02.2022

Sheetal Bhola and another

..... Petitioner

versus

State of UT Chandigarh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Chouhan Satvinder Singh Sisodia, Advocate
for the petitioners.

Ms. Vasundhara Dalal Anand, APP, UT Chandigarh.

Ms. Amandeep Kaur, Advocate
for respondents No.3 and 4.

RAJESH BHARDWAJ, J. (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner has approached this Court praying for the cancellation of the anticipatory bail to respondents No.3 and 4 in case FIR No.159 dated 27.11.2019, under Sections 406, 498-A (Section 494 IPC added later on) and 34 of Indian Penal Code, 1860, registered at Police Station Women Police Station District UT Chandigarh.

It has been contended by learned counsel for the petitioner that order dated 25.02.2020 deserves to be recalled primarily on the ground that one day prior to this date, DDR was recorded by the Investigating Officer which has been placed on record as Annexure P-3. He further submits that respondents No.3 and 4 have not effected the recovery of the dowry articles and hence, the anticipatory bail granted to

them deserves to be cancelled.

Learned counsel for respondents No.3 and 4 opposes the submissions made by counsel for the petitioner tooth and nail. She submits that the present case is false and frivolous and nothing but an abuse of the process of the Court. She submits that respondent No.3 is mother-in-law and respondent No.4 is sister-in-law of petitioner No.1 and there is not even a *prima facie* case made out against them and the Court has rightly granted them the anticipatory bail. She further submits that there is nothing on record to show that respondents have ever misused the concession of bail granted to them.

Learned State counsel submits that the challan is already presented in this case and learned trial Court is seized of the matter now. She further submits that Manoj Saini son of respondent No.3 has performed the marriage without taking divorce from the present petitioner No.1.

After arguing for some time, the counsel for the petitioner prays for withdrawal of this petition with liberty to approach the learned Court which granted the anticipatory bail to respondents No.3 and 4 vide order dated 25.02.2020.

In view of the prayer made, the petition is disposed of with liberty to the petitioners to approach the same Court which had granted the bail, if advised so.

(RAJESH BHARDWAJ)
JUDGE

17.02.2022
m.sharma

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