

CRM-M-20430-2022

Date of Decision: 12.12.2022

Manish Bawa

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. K.S. Brar, Advocate, for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Yogesh Kumar Aneja, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail in FIR No.69 dated 31.03.2022 registered under Sections 406, 498-A IPC at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

By virtue of the order dated 12.05.2022, while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation and also paid the litigation expenses of Rs.25,000/- to the complainant-wife. He has submitted that in pursuance to the order dated 19.09.2022, the parties were again referred to the Mediation Centre, Muktsar, however, the same remained unsuccessful. He further submits that out of the wedlock, there is a special child, who is in the custody of the petitioner-father.

Learned counsel for the complainant submits that the mediation has failed due to the adamant behaviour of the petitioner. He also submits that recovery of some of the gold articles is yet to be effected.

Learned State counsel, on instructions from ASI Ashok Kumar, has affirmed the fact that the petitioner has joined the investigation and

submitted that he is no more required for further investigation. He further

submits that the recovery of the gold articles is yet to be effected.

After hearing learned counsel for the parties, it is apparent that the petitioner has joined the investigation and the matter could not be resolved despite the parties having been referred to the Mediation Centre twice. Non-recovery of some dowry articles cannot be a sole ground for rejecting the bail.

In view of the above, the order dated 12.05.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

12.12.2022
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No