

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(207)

CRM-M-21018-2022
Date of Decision: 21.11.2022

Sushma Handa

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Ankut Mittal, Advocate for the petitioner.

Mr. Sandeep Kumar, D.A.G., Punjab.

Mr. Navkiran Singh, Advocate for the complainant.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No.146 dated 3.12.2021 registered under Sections 406, 498-A IPC at Police Station Women, District Police Commissionerate, Jalandhar.

By virtue of the order dated 17.5.2022 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 17.5.2022 petitioner has joined investigation. He submits that parties were referred to the Mediation & Conciliation Centre of this court, however, the proceedings remained unsuccessful. He submits that the interim order may kindly be made absolute.

Learned counsel for the complainant has opposed the submissions made by counsel for petitioner. He submits that though the parties were referred to the Mediation & Conciliation Centre of this court, however, the proceedings remained unsuccessful due to adamant behavior of the petitioner. He further submits that recovery of the jewellery is yet to

be effected from the petitioner.

Learned State counsel on instructions from ASI Sukhdev Singh has endorsed the fact that petitioner has joined investigation, however, recovery of some of the dowry articles is yet to be effected.

In view of the above position, recovery of the dowry articles itself cannot be a ground for rejection of the bail. The order dated 17.5.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

21.11.2022

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