

Sr. No.217

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

(through video conferencing)

CRM-M-30875-2021

Date of Decision:13.01.2022

Manavpreet Singh Kahlon

... Petitioner

Vs.

State of Punjab and another

... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Abhishek Kumar, Advocate
for the petitioner.

Ms. Jaspreet Kaur, A.A.G. Punjab.

Manjari Nehru Kaul, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.51 dated 20.07.2021 under Sections 406, 498-A, 323 and 506 IPC registered at Police Station Women Patiala.

As per report received from the Mediation and Conciliation Centre to which the parties were referred to, the parties are not ready to settle the dispute.

Learned counsel for the petitioner submits that in compliance of the order dated 11.10.2021, the petitioner has joined the investigation and co-operated with the investigating agency. He submits that whatever the dowry articles including the car which were given to the petitioner stand duly returned during investigation.

Learned State counsel on instructions from HC Mander Singh

does not dispute the factum of the petitioner having joined the investigation and also having returned the dowry articles including car which were given to the petitioner at the time of marriage. However, she submits that recovery of gold chain, ring and a kara which were given to the petitioner at the time of marriage has yet not been effected.

However, learned counsel for the petitioner has vehemently disputed being in possession of the aforementioned articles. He submits that all the dowry articles were duly returned to the investigating agency when the mother of the petitioner was extended interim bail and had joined investigation.

I have heard learned counsel for the parties.

Mere non-recovery of some disputed dowry articles cannot be a ground to decline the concession of anticipatory bail to the petitioner, more so, when it has been conceded by the learned State counsel that substantial recovery of dowry articles has been effected from the petitioner.

The petition is thus allowed and interim order dated 11.10.2021 is made absolute subject to the conditions laid down in Section 438 (2) Cr.P.C.

13.01.2022
rajeev

(Manjari Nehru Kaul)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No