

CRM-M-31280-2022

Date of Decision: 22.11.2022

Ravneet Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vishal Gaur, Advocate for
Mr. P.S. Khurana, Advocate, for the petitioner.
Mr. Karunesh Kaushal, Assistant Advocate General, Punjab.
Ms. Anshula Mehra, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.270 dated 06.06.2022 registered under Section 498-A IPC, at Police Station Sohana, District SAS Nagar (Mohali).

By virtue of the order dated 21.07.2022, 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 fully cooperated. He submits that the parties have appeared before the Mediation Centre and the petitioner has paid Rs.25,000/- towards litigation expenses as directed by this Court, however, the mediation remained unsuccessful.

Learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner. She submits that though the petitioner has joined the investigation, however, recovery of the dowry articles is yet to be effected.

Learned counsel for the petitioner further submits that the petitioner is being prosecuted only for offence under Section 498-A IPC and there is no question of dowry articles as there is not even the offence under Section 406 IPC.

Learned counsel for the complainant has submitted that there are specific allegations regarding entrustment of dowry articles, however, offence under Section 406 IPC has not been added by the Investigating Agency.

Learned State counsel, on instructions from ASI Om Parkash has affirmed the fact that the petitioner has joined the investigation and submitted that he is no more required for further investigation.

After hearing learned counsel for the parties and perusing the record, it is apparent that the mediation between the parties remained unsuccessful and the case needs a thorough investigation and thereafter, to be tried by the trial Court.

In view of the above, the order dated 21.07.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

22.11.2021
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE