

**207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-38759-2021
Decided on : 07.01.2022

Gurmeet Singh

..... Petitioner

Versus

State of Punjab & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Prabhjot Singh, Advocate
for the petitioner.

Mr. Rehat Bir Singh Maan, DAG, Punjab.

Mr. Loveneet Thakur, Advocate
for the complainant.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.18, dated 15.07.2021, under Sections 406, 498-A of IPC, registered at Police Station Women Cell, Police District SAS Nagar (Mohali).

Learned counsel for the petitioner states that the petitioner has since joined the investigation and cooperated with the investigating agency in compliance of order dated 17.09.2021, which was passed in the following terms:

“Learned counsel for the petitioner submits that it is essentially due to temperamental differences, the FIR in question has been got registered at the instance of the complainant-wife against her husband i.e. the petitioner of subjecting her to physical and mental torture. It has been submitted that as per her own admission in the FIR in question, the families were known to each other for the past 30 years and hence, it could not be believed that the complainant would not have not known about the

family circumstances as well as the fact that the petitioner was employed in a company on temporary basis.”

Learned State counsel on instructions from ASI Narinder Kaur does not dispute the factum of the petitioner having joined the investigation. He, on further instructions states that the petitioner is not required for further investigation.

Learned counsel for the complainant has, however, opposed the prayer made by counsel for the petitioner. He has urged that the recovery of some gold ornaments and other dowry articles have not yet been effected.

Heard learned counsel for the parties and perused the material available on record.

Mere non-recovery of few dowry articles cannot be a ground to decline the grant of anticipatory bail to the petitioner, more so, when the State counsel on instructions has submitted that the petitioner has cooperated with the investigating agency and his further investigation is not required.

In view of the above, the petition is allowed and interim order dated 17.09.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

07.01.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No