

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(208)

CRM-M-35621-2022
Date of Decision: 17.11.2022

Lakhvir Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Abdul Aziz, Advocate for the petitioner.

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

Mr. J.S. Jaidka, Advocate for the complainant.

RAJESH BHARDWAJ.J (Oral)

Learned State counsel has filed the status report. Same is taken on record.

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No.0009 dated 4.7.2022 registered under Sections 406, 498-A IPC at Police Station Women, Ludhiana Rural, District Ludhiana.

By virtue of the order dated 10.8.2022 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 10.8.2022 petitioner has joined investigation. He submits that the matter was referred to the Mediation Centre, however, the proceedings remained unsuccessful. He submits that petitioner has already paid the litigation expenses of Rs.25,000/- as directed by this court. He submits that the interim order may kindly be made absolute.

Learned counsel for the complainant has opposed the submissions made by counsel for the petitioner and submits that mediation

proceedings failed as the petitioner did not cooperate.

Learned State counsel on instructions from ASI Gurinder Pal Singh has endorsed the fact that petitioner has joined investigation, however, he has stated that recovery of some of the gold articles remains to be effected.

In view of the above, the non-recovery of dowry articles cannot be held to be a ground for rejection of anticipatory bail. The order dated 10.8.2022 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

17.11.2022

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