

CRM-M-35691 of 2019

{1}

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-35691 of 2019
Date of decision:03.08.2022

Jagshir Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Mr. S.P.S.Aulakh, Advocate for
Mr. Prabhdeep Singh Toor, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 Cr.P.C., seeking grant of anticipatory bail to the petitioner in case FIR No.102 dated 30.07.2019 registered under Sections 406, 498-A, 494, 420 of Indian Penal Code, 1860 at Police Station Doraha, Police District Khanna, District Ludhiana (Annexure P-1).

FIR (Annexure P-1) has arisen out of a matrimonial dispute. Vide order dated 29.08.2019, petitioner, who is the husband of the complainant was granted interim bail and was directed to join investigation.

During pendency of the petition, the parties were directed to appear before the Mediation and Conciliation Centre of this Court to explore the possibility of settlement. However, the same has not yielded any result.

Upon instructions from ASI Hakkam Singh, Sate counsel submits that petitioner has joined investigation, recovery has been effected and final report under Section 173 Cr.P.C., has been presented.

However, counsel representing the complainant has submitted that complete recovery has not been effected, which has been disputed by counsel for the petitioner.

Heard counsel for the parties.

Non-recovery of disputed dowry articles cannot be an obstacle for confirming the interim bail.

In view of the above facts, but without commenting on the merits of the case, present petition is allowed and the order dated 29.08.2019 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

August 03, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No