

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-54563 of 2021
Date of decision:23.08.2022

Manpreet Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ankit Kharbanda, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Baljinder Singh, Advocate for
Mr. Manpreet Singh, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 439(2) Cr.P.C., seeking cancellation of anticipatory bail granted to respondents No.2 and 3, vide order dated 27.05.2019 passed by this Court in CRM-M-27041 of 2018 in case FIR No.0024 dated 25.05.2018 registered under Sections 406, 498-A of Indian Penal Code, 1860 at Police Station Women, District Police Commissionerate Amritsar

Reply has been filed on behalf of respondents No.2 and 3, which is taken on record. Copy thereof, has been supplied to counsel for the petitioner.

Heard.

Two fold arguments have been raised by counsel for the petitioner.

Firstly, petitioner has submitted that vide order dated 27.05.2019 passed in CRM-M-27041 of 2018, petitioner therein was directed to deposit Rs.3.50 lacs by way of Fixed Deposit with the Trial Court, which he has not done. This order was passed by this Court on the petition filed by husband of the complainant and on his failure to make the deposit, he was arrested. However, there is no such order in the petition preferred by the private respondents, who are the in-laws of the present petitioner.

Secondly, petitioner has submitted that dowry articles, which have been entrusted to the private respondents, have not been recovered. He has made a reference to photographs, Annexure P-2 and the accompanying bills. The entrustment of articles has been disputed by counsel for private respondents.

Recovery of dowry articles, which are disputed, can neither be a ground for declining grant nor for cancellation of bail. It has been so held by the Supreme Court in **Rajesh Sharma and others Vs. State of Uttar Pradesh and another (2018) 10 SCC 472** and **Social Action Forum for Manav Adhikar and another Vs. Union of India, Ministry of Law and Justice and others (2018) 10 SCC 443**.

There is no merit in the petition and the same is hereby dismissed.

August 23, 2022

(SUVIR SEHGAL)
JUDGE

savita

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>