

**209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-43823-2019

Date of decision : 06.07.2022

Bal Krishan

..... Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. P.S. Dhaliwal, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.0349 dated 02.09.2019, under Section 498-A of Indian Penal Code, 1860 (Section 406 IPC added later on), registered at Police Station City Barnala, District Barnala.

Vide order dated 14.01.2020, this Court directed the petitioner to join investigation. Thereafter, both the parties expressed their willingness to appear before the Mediation and Conciliation Centre of this Court and on two occasions, the parties appeared before the Mediation Centre but same remained unsuccessful.

Learned counsel for the petitioner submits in pursuance to order dated 14.01.2020, the petitioner has already joined investigation.

Learned counsel for the complainant has opposed the submissions made by counsel for the petitioner. He submits that though the petitioner has joined investigation but the recovery part of the dowry

articles still remain to be effected.

Learned State counsel also affirms the said fact that the petitioner has joined investigation, however, all the dowry articles are not yet recovered.

The marriage in question took place in the year 2015. The parties had been directed to appear before the Mediation Centre twice but the same remained unsuccessful. Admittedly, the petitioner has joined investigation, however, recovery part cannot be a sole ground for rejecting the interim bail granted to the petitioner. The case is under investigation and the challan is not yet presented. The Court is convinced that no further chances of directing the parties *qua* another round of Mediation is required and hence, the trial should commence. The investigating agency should conclude the investigation in accordance with the law.

In view of the above, interim order dated 14.01.2020 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

06.07.2022
m. sharma

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