

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

CRM-M-62130-2018

Date of decision : 12.05.2022

Naveen Jakhmola

..... Petitioner

versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Pankaj Chandgothia, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Tarun Singla, 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.50 dated 05.10.2018, under Sections 498-A, 406, 323, 506 of Indian Penal Code, 1860, registered at Police Station Women Cell, Bhatinda.

Vide order dated 21.12.2018 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner has submitted that pursuant to order dated 21.12.2018, petitioner has joined the investigation and as such his interim bail may be made absolute. He has also submitted that at least three times, the matter was referred to the Mediation Centre but the same remained unsuccessful. He further submits that it is because of the non-cooperation of the complainant-wife that the mediation remained unsuccessful.

Learned counsel for the complainant has opposed the contention raised by learned counsel for the petitioner. He submits that it was on account of the adamant behaviour of the petitioner that the mediation did not give any result.

Learned State counsel, on instructions from ASI Tara Singh, affirmed the fact that the petitioner has joined the investigation and he is no more required for further investigation. He further submits that recovery of some of the dowry articles remains to be effected.

After hearing counsel for the parties and perusing the record, it is apparent that there does not seem to be any chances of amicable settlement between the parties. The matter is pending consideration since long and the case is under investigation. So far the recovery part is concerned, the same cannot be considered as a ground for declining the bail. The allegations and counter-allegations would be evaluated only by the trial Court after appreciation of the evidence to be produced before it. It is apparent that the case deserves to be investigated thoroughly.

In view of the facts and circumstances, interim order dated 21.12.2018 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

12.05.2022
m.sharma

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