

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

**COCP-2824-2020 (O&M)
Date of decision: 24.01.2023**

Kanwaljit Singh and anr.

...Petitioners

Versus

Satinder Singh and ors.

...Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioners.

Mr. Ajit Singh Natt, AAG, Punjab.

ARVIND SINGH SANGWAN, J.

The petitioners allege violation of the order dated 20.01.2020, vide which in anticipatory bail application filed by the petitioners, a direction was issued that till the next date of hearing, arrest of the petitioners shall remain stayed.

Status report by way of affidavit of Senior Superintendent of Police, SAS Nagar (Mohali) is on record, according to which, FIR No.129 dated 22.06.2019 under Sections 406/498-A IPC (Section 120-B IPC added later on) was registered at Police Station Phase-1, District SAS Nagar, by wife of Ishwinderjeet Singh, who is son of the petitioners. It is further stated that during the investigation, statement under Section 161 Cr.P.C. was

recorded and thereafter, notice under Section 41(A) Cr.P.C. was issued to Ishwinderjeet Singh to join the investigation and it was informed by his brother that he is residing abroad. Thereafter, complainant Ramneet Walia recorded her supplementary statement that istridhan including the jewellery articles are not returned by the petitioners-accused and same are lying in the matrimonial home. Thereafter, arrest warrants of Ishwinderjeet Singh were obtained and notice under Section 41(A) Cr.P.C. was issued to petitioner No.1. It is also stated that lookout circular was also issued against Ishwinderjeet Singh.

Learned State counsel submits that the petitioners were declared proclaimed offenders by the Illaqa Magistrate. It is further submitted that for some time, no proceedings were carried out due to COVID-19 situation and on 06.12.2020, by recording DDR, matrimonial home of the complainant was visited for the purpose of effecting recovery of dowry articles, thus, there is no violation of the order, as it was only with regard to stay of arrest of the petitioners.

Accordingly, no willful disobedience is made out.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

24.01.2023
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No