



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.1009 of 2024

Date of decision: 27.05.2024

RAVINDER SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Arun Kumar Gupta, Advocate for the petitioner.

Mr. A.S. Samra, A.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 260, dated 20.12.2023, under Sections 498-A, 406 and 34 of IPC at Police Station City Gurdaspur, District Gurdaspur.

2. Vide order dated 10.01.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 10.01.2024, passed by this Court, reads as under:

“Present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No.260 dated 20.12.2023, registered under Sections 498-A, 406 read with Section 34 of IPC at Police Station Gurdaspur, District Gurdaspur.

Notice of motion for 27.02.2024.

On asking of the Court, Mr. R.S. Khaira, DAG, Punjab, accepts notice on behalf of the respondent-State. He seeks some time to file status report in the matter.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or



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as and when required subsequently. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. As per report received from the Mediation and Conciliation Centre of this Court, dispute between the parties could not be settled as the petitioner could not appear in person or through the video conference.

4. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 16.01.2024 but recovery of 4 tolas of gold is yet to be effected from the petitioner and the petitioner is not cooperating with the investigating agency to that extent. However, he has not submitted as to in what manner, the cooperation had not been extended by the petitioner. Mere non recovery of some disputed dowry articles cannot by itself be a ground for denial of bail as has also been observed by the Delhi High Court in case titled as '*Jagdish Thakkar vs. State of Delhi*', 1992 (3) CCR 2764' and in case titled as '*Pooran Singh vs. State of Delhi*', 2022(1) RCR (Criminal) 503.

5. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 10.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(MANISHA BATRA)
JUDGE

27.05.2024
Jyoti-IV

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