

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-7245-2024(O&M)
Date of Decision: 25.04.2024

ANUBHAV YADAV

....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

....Respondents

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Zorawar Singh Chauhan, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Jai Vir Yadav, Sr. Advocate with
Mr. D.R. Sharma, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks pre-arrest bail in case FIR No.0006 dated 02.01.2024 registered under Sections 498-A, 323, 406, 506 of Indian Penal Code, 1860, (Section 34 of IPC deleted) at Police Station City Rewari, District Rewari.

2. Vide order dated 12.02.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned counsel for the petitioner has placed on record the copy of the bank transaction showing the transfer of an amount of Rs.6,00,000/- (through RTGS mode) in the bank of account of respondent no.2 by the petitioner.

4. Learned State counsel has already filed status report which reveals that the petitioner has joined the investigation on 21.02.2024.

Though, it is submitted by the learned State counsel as well as counsel for respondent no.2 that recovery of gold and silver ornaments is yet to be recovered from him. 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 cases titled as ‘*Jagdish Thakkar vs. State of Delhi*’, 1992 (3) CCR 2764 and ‘*Pooran Singh vs. State of Delhi*’, 2022(1) RCR (Criminal) 503.

5. In my considered opinion, the custodial interrogation of the petitioner is no more required. No purpose would be served by detaining the petitioner in custody. In view of the said facts but without commenting on the merits of the case, the present petition is allowed and the order dated 12.02.2024 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.

25.04.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |