

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-9101-2024 (O&M)
Date of Decision: 02.04.2024

NAWAB SINGH

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Ajit Singh Natt, Advocate for the petitioner.
Mr. Amandeep Singh Samra, AAG, Punjab.
Mr. Dhiraj Jindal, Advocate for the complainant.

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. 0014 dated 21.12.2023 registered under Sections 498-A, 406 of Indian Penal Code, 1860, at Women Police Station, Sangrur District Sangrur.

2. Vide order dated 26.02.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.
3. Learned State counsel as well as counsel for the complainant have submitted that though the petitioner has joined the investigation, but some dowry articles could not be recovered at the instance of 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 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.

4. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 26.02.2024 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.

02.04.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |