

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-14913-2022(O&M)
Date of Decision: 21.03.2024

DR. RAMIT JAINPetitioner

VERSUS

STATE OF PUNJAB AND ANOTHERRespondents

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Saurabh Sharma, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. Abhinashi Singh, Advocate for the complainant.

MANISHA BATRA, J. (ORAL)

The present petition has been filed under Section 438 of Cr.P.C.

seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
139	20.11.2021	Police Station Women, District Ludhiana	Sections 406 & 498-A of IPC

2. Vide order dated 08.04.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned counsel for respondent no.2 has submitted that she had joined the company of the petitioner after passing of the previous order and she had gone back to her parental house for the purpose of taking examination of his son.

4. Learned State counsel has submitted that the petitioner has already joined the investigation. His custodial interrogation is not required.

Though learned State counsel submits that recovery of dowry articles is to be effected from him, however, since the parties have started residing together and 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', '*Pooran Singh vs. State of Delhi*', 2022(1) RCR (Criminal) 503 as well as by Hon'ble Supreme Court in case titled as "*Social Action Forum for Manav Adhikar Vs. UOI (SC) 2018 (4) RCR (Criminal) 226*".

5.. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 08.04.2022 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.

21.03.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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