

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-24412-2023(O&M)
Date of Decision: 30.04.2024

LAKHWINDER KAUR

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. K.S. Dadwal, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. T.S. Grewal, 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.03 dated 17.04.2023 registered under Sections 406, 498-A of IPC at Police Station Women, Sangrur.

2. Vide order dated 12.05.2023 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned State counsel has submitted that the petitioner has rejoined the investigation on 20.03.2024 in pursuance of direction given vide order dated 29.02.2024 and some gold ornaments have been handed over by her to the complainant. As per status report already submitted by respondent-State, when the petitioner had joined the investigation earlier on 10.07.2023, she had handed over some gold articles as mentioned in Para No.3 of the status report to respondent no.2. 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 12.05.2023 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.

30.04.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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