

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CRM-M-59957-2022

Date of decision:30.01.2024

Ricky Verma

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vaneet Soni, Advocate for
Mr. Deepinder Brar, Advocate for the petitioner.
Mr. Anup Singh AAG Punjab.
Mr. Hitesh Verma, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) for grant of anticipatory bail to the petitioner in case FIR No.71 dated 11.11.2022, under Sections 498-A, 406 IPC registered at Police Station Women Cell, District Bathinda.

On 22.12.2022, the following order was passed:-

“Learned counsel for the parties submit that there is possibility of amicable settlement between the parties and the matter may be referred to Mediation and Conciliation Centre.

With the consent of both the parties, the matter is referred to Mediation and Conciliation Centre for 17.01.2023 subject to the litigation expenses of Rs. 15,000/- to be paid to the complainant by the petitioner.

Adjourned before this Court on 09.02.2023.

In the meantime, the arrest of the petitioner is stayed subject to petitioner joining the investigation.

Status report be filed by the respondent-State on or before the date fixed.”

2. Learned State counsel, on instructions from H.C. Seema Rani, has stated that pursuant to the order dated 22.12.2022, the petitioner has joined investigation and is no longer required for custodial interrogation. However, the entire dowry articles have not been recovered.

3. Learned counsel for the complainant submits that the petitioner has not returned all the dowry articles.

4. The question as to whether the entire dowry articles have been returned or not cannot be gone into at the stage of consideration of plea for grant of anticipatory bail & the same will be looked into during the course of trial. The allegation of non-recovery of entire dowry articles cannot be termed as a reason for rejecting a prayer for anticipatory bail.

5. In view of the above, the interim order dated 22.12.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not
be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

January 30, 2024
Ajay

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