

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211 CRM-M-62761-2023(O&M)
Date of Decision: 30.04.2024

SUNIL KUMARPetitioner
VERSUS
STATE OF PUNJABRespondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Harmanpreet Singh, Advocate for the petitioner.
Mr. Amandeep Singh Samra, AAG, Punjab.
Respondent no.2 in person.

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
210	13.11.2022	P.S. Tibba District Police Commissionerate Ludhiana	406 & 498-A of IPC

2. Vide order dated 14.12.2023 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.
3. Learned counsel for the petitioner has handed over an amount of Rs.30,000/- in cash to respondent no.2 who is present in person in Court. The petitioner has already joined the investigation. It is submitted by learned counsel for respondent no.2 that some dowry articles have not been returned and she is still willing to settle the matter whereas no such inclination has been shown by the petitioner side and his counsel has submitted that all dowry articles belonging to respondent no.2 had already been taken by her.

It is well settled proposition of law that 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 facts and circumstances, the present petition is allowed and the order dated 14.12.2023 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

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