

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(201)

CRM-M-17204-2021.

Date of Decision:-28.02.2022.

Azmat Ali

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vishal Garg Narwana, Advocate for the petitioner.

Mr. P.S. Paul, Addl. P.P, U.T., Chandigarh.

Mr. Mohd. Jameel, Advocate for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.17 dated 15.02.2021, under Sections 406, 498-A and 494 IPC of Indian Penal Code, registered at Police Station Women Police Station, Chandigarh.

Vide order dated 14.09.2021 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that in pursuance to order dated 14.09.2021, petitioner has joined the investigation and parties appeared before the Mediation and Conciliation Centre of this Court as well. He submits that despite number of meetings before the Mediation Centre, the same remained unsuccessful.

Learned counsel for the complainant submits that the parties though appeared before the Mediation Centre, however, the same remained unsuccessful because of the non-cooperating attitude of the petitioner. He submits that recovery of majority of the dowry articles remains to be effected.

Learned State counsel on instructions from SI Satish Kumar, Women Cell, Chandigarh, has affirmed the fact that petitioner has joined the investigation. However, the dowry articles remain to be recovered.

In view of the attending facts and circumstances, this Court finds that the allegations and counter-allegations can be evaluated only after a thorough and fair investigation. At this stage, the Court finds that interim order dated 14.09.2021 deserves to be confirmed. Since no settlement has taken place between the parties, so the matter deserves to be decided on merits.

In view of the above, interim order dated 14.09.2021 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

**(RAJESH BHARDWAJ)
JUDGE**

February 28, 2022.

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No