

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

Crl. Misc. M-32355 of 2017 (O&M)
Date of Decision: October 25, 2018

Robin Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rahul Bhargava, Advocate
for the petitioner.

Ms. Rajni Gupta, Senior DAG Punjab.

Mr. Pranjal Chaudhary, Advocate for
Ms. Deepshikha Chauhan, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.111 dated 06.06.2017, under Sections 406, 498-A of the Indian Penal Code, registered at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

Learned State counsel, on instructions from the Investigating Officer submits that though the petitioner has joined the investigation, only

partial recovery of gold articles has been made and out of 49 grams of verified bills, only 10 grams has been recovered.

Per contra, learned counsel for the complainant opposes the confirmation of anticipatory bail of the petitioner, while arguing that recovery of the gold articles is yet to be made.

I have heard learned counsel for the parties.

So far as the argument of learned State counsel as well as complainant is concerned, there are plethora of judgments to the effect that bail should not be denied only on account of the fact that recoveries have not been made. Reliance has been placed upon judgment rendered in **Anil Rajput and others vs. State of Haryana, 2010(6) RCR (Criminal) 1126.**

In view of the fact that the petitioner has joined the investigation, at this stage, without commenting on the merits of the case, the petition is allowed and order dated 11.09.2017 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

October 25, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No