

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-14660-2019

Date of decision: 20.05.2019

Manjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. GS Dhillon, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

**RAMENDRA JAIN, J. (ORAL)**

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to petitioner-Manjit Singh, in case FIR No.268 dated 10.10.2018 registered under Section 380 IPC at Police Station Kharar City, Kharar.

On instructions from SI Kuldeep Singh, learned State counsel submits that though the petitioner has joined the investigation, but recovery of some household articles of the complainant have yet to be effected from him.

To counter the above submission of learned State counsel, learned counsel for the petitioner contends that the demised premises was completely vacant. No goods of any kind as alleged by the complainant were lying in the same. Therefore, there is no question of recovery of any household article from the petitioner.

Since, the petitioner is owner of the demised premises, therefore, this Court is of the considered view that for recovery of household articles of the complainant, custodial interrogation of petitioner is not required, inasmuch as, presence of some goods of the complainant in the demised premises is a disputed question of fact.

In view of the above, order dated 01.04.2019, passed by this Court is made absolute.

Disposed of.

**May 20, 2019**  
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**( RAMENDRA JAIN )**  
**JUDGE**

**Whether speaking/reasoned    Yes/No**

**Whether reportable                Yes/No**