

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

CRM-M No.1268 of 2021 (O&M)

Date of Decision: 17.08.2021

(Heard through VC)

Niraj Garg

..Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gaurav Goel, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.261 dated 02.12.2020 registered under Sections 406 & 498-A IPC registered at Police Station City Kharar, District SAS Nagar, Mohali.

2. By an order dated 12.01.2021, this Court had granted interim bail to the petitioner and directed him to join investigation.

3. Learned counsel appearing on behalf of the respondent-State on instructions from ASI Avtar Singh submits that though the petitioner has joined investigation, however, recovery of some gold articles is yet to be made.

4. I have heard learned counsel for the parties.

5. It has been held in the judgment rendered in ***Bhupinder Singh etc. Vs. State of Punjab 2014 (2) CRCR (Criminal) 109*** that bail cannot be denied only on the ground that recoveries have not been effected. In view

of the fact that the petitioner has joined investigation, the instant petition is allowed and the order dated 12.01.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

August 17, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No