

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4246-2020

Date of Decision: 26.07.2021.

HIMANSHU BHASIN

.....Petitioner

V/s.

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Ms. Suksham Aggarwal, Advocate,
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

Mr. Fateh Saini, Advocate,
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.02 of 2020, dated 03.01.2020, lodged under Sections 406, 498-A, 323, 377, 506, 120-B of the Indian Penal Code, 1860 and registered at Police Station Barara, District Ambala, Haryana.

Learned counsel for the petitioner states that pursuant to order dated 31.01.2020, passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from ASI Babli, states that the petitioner is no longer required for further interrogation. However, learned counsel for the complainant submits that there are serious allegations levelled against the petitioner and certain dowry articles like gold jewellery has not yet been recovered.

On a pointed query put to the learned counsel for the State, she has apprised the Court that as per instructions received by her, gold ornaments stand recovered.

Demand and entrustment of the gold ornaments as alleged in the FIR in question are disputed questions of fact which would be considered during the trial.

In view of the aforesaid, the petition is allowed and interim order dated 31.01.2020 is made absolute subject to the conditions laid down in Section 438(2) Code of Criminal Procedure, 1973.

July 26, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>