

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

217

**CRM-M-6604-2020
Decided on : 24.08.2021**

Vimlavati Devi and another

. . . Petitioner(s)

Versus

State of U.T. Chandigarh and another

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. S.P. Yadav, Advocate,
for the petitioner(s).

Mr. Kuldeep Tiwari, APP, UT Chandigarh.

Mr. Satyaveer Singh, Advocate
for respondent No.2 (complainant).

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioners, in case FIR No. 157, dated 24.11.2019, under Sections 498-A, 406 of IPC, registered at Women Police Station, Chandigarh.

Learned counsel for the petitioner states that pursuant to order dated 14th February, 2020, passed by this Court, the petitioner has joined investigation and returned all the gold articles, which were in their possession.

The aforesaid fact *qua* the alleged gold articles has been disputed by the learned State counsel. He has apprised the Court that no doubt the petitioners did join the investigation, however, recovery of gold ornaments has not been effected.

On a pointed query put to learned State counsel as to what was the demand and entrustment of gold ornaments in the FIR in question, it has been submitted that the list of such gold ornaments was provided to the investigating agency subsequent to the registration of FIR in question.

Learned counsel for the petitioners submits that both the petitioners are parents in-law of respondent No.2 (complainant) and are not in possession of any gold ornaments, as alleged in the FIR in question, since, respondent No.2 (complainant) while leaving the matrimonial home had carried all her articles with her.

Heard.

Be that as it may, the demand and entrustment of gold ornaments are all disputed questions of fact, which would be considered by the trial Court during trial.

Keeping in view the fact that the petitioners have joined investigation, the present petition stands allowed and interim order dated 14th February, 2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

August 24, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*