

**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-11118-2021
Decided on : 10.09.2021

Atul Vikas

..... Petitioner

Versus

State of Punjab & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Robert Kanwar, Advocate
for the petitioner.

Mr. P.S.Wallia, AAG, Punjab.

Mr. C.K.Singla, Advocate
for the complainant.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.57 dated 02.02.2021 under Sections 498-A and 406 IPC 1860 registered at Police Station Zirakpur District SAS Nagar, Mohali.

Learned counsel for the petitioner states that pursuant to the said order dated 10.03.2021 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 Pawan Kumar states that the petitioner is no longer required for further interrogation.

Learned counsel for the complainant has, however, opposed the grant of anticipatory bail by urging that the recovery of gold ornaments have not yet been effected as per order dated 25.03.2021 vide which the petitioner had undertaken to get the same recovered.

A perusal of the said order dated 25.03.2021 reveals that it had been noticed by the Coordinate Bench that the petitioner would assist in the recovery of remaining gold items.

Be that as it may, this Court would not go into the disputed questions of fact, more so, when the State counsel has apprised the Court on instructions that his custodial interrogation is not required.

In view of the above and in the wake of instructions received by the learned State counsel, the petition is allowed and interim order dated 10.03.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

10.09.2021
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No