

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

206

(Through Video Conferencing)

CRM-M-8778-2020

Date of decision: 27.09.2021

Sujeet Kumar

.....Petitioner

Versus

State of U.T., Chandigarh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.P. Yadav, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. Public Prosecutor
for respondent No.1-U.T., Chandigarh.

Mr. Satyaveer Singh, Advocate
for respondent No.2.

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.157, dated 24.11.2019, under Sections 498-A and 406 of the Indian Penal Code, 1860, registered at Women Police Station Chandigarh.

Learned counsel for the petitioner submits that in compliance of order dated 06.03.2020, the petitioner has joined investigation and whatever dowry articles including gold jewellery were in his possession stand duly returned.

Learned Additional Public Prosecutor on instructions has apprised the Court that no doubt the petitioner has joined investigation and also returned dowry articles including the gold jewellery, however,

some gold ornaments have not yet been recovered and custodial interrogation of the petitioner would be necessary.

On a pointed query put to the learned State counsel as to whether the FIR contained the details and list of gold jewellery which has not yet been recovered, he, on instructions has submitted that the list of jewellery which has not been recovered yet was provided later on by the complainant.

In the facts and circumstances as enumerated hereinabove, when admittedly all the articles including the gold ornaments which find mentioned in the FIR in question stand duly returned, this Court is not convinced with the reasons given by the State counsel for seeking the custodial interrogation of the petitioner.

In view of the above, the petition is allowed and interim order dated 06.03.2020, is made absolute subject to the conditions laid down in Section 438(2) Code of Criminal Procedure, 1973.

27.09.2021

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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