

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18854-2020 (O&M)

Date of decision : 02.11.2021

Harpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr. B.K. Saini, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab,

Mr. Vikas Gupta, Advocate for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of anticipatory bail in case FIR No.75 dated 13.03.2020, under Sections 498-A, 406, 325, 323, 506 of the IPC, registered at Police Station Tarn Taran, District Tarn Taran.

By virtue of the order dated 16.07.2020 while granting interim protection, the petitioner was directed to join investigation. It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation and fully cooperated. He also submits that the recovery of dowry articles is also complete and thus, the interim order may kindly be made absolute.

Learned counsel for the complainant has vehemently opposed the same and has argued that gold articles are yet to be recovered.

Learned State counsel, on instructions has endorsed the same and submitted that petitioner has joined the investigation, however, recovery part is

not complete.

Keeping in view the factual dispute between the parties it is appropriate to direct the investigating agency to investigate the matter and file the challan and the outstanding issues will be decided by the trial Court in accordance with law.

In view of the above, the interim order dated 16.07.2020, is made absolute subject to compliance of conditions as envisaged under Section 438 (2) Cr.P.C. and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

02.11.2021

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No