

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

220

**CRM-M-30371-2021
Date of decision: 23.11.2021**

Avish Sehgal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ved Parkash, Advocate for
Mr. B.S. Makkar, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

Mr. Digvijay Nagpal, Advocate
for the 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 petitioner in case FIR No.0020, dated 22.02.2021, under Sections 406 and 498-A IPC registered at Police Station Women, Police Commissionerate Ludhiana.

Learned counsel for the petitioner submits that the FIR in question is an outcome of a matrimonial dispute between him and his wife i.e. the complainant. In compliance of order dated 02.08.2021, the petitioner has joined investigation.

Learned State counsel, on instructions from ASI Ashwani Kumar, submits that in compliance of order dated 02.08.2021, the petitioner has joined investigation and substantial part of the dowry articles which were in his possession stands recovered. He on instructions has submitted that further investigation/custodial interrogation of the petitioner is no longer required.

Learned counsel for the complainant has, however, submitted that since a few dowry articles have yet not been recovered, the petitioner be not extended the concession of anticipatory bail.

Heard learned counsel for the parties and perused the material on record.

Non-recovery of some of the dowry articles cannot be a ground to deny the concession of anticipatory bail to the petitioner once the investigating agency does not require him for further investigation/custodial interrogation.

In the facts and circumstances as enumerated hereinabove, the petition is allowed and interim order dated 02.08.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

23.11.2021

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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