

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

CRM-M-33419-2020
Decided on : 18.01.2021

Madhu Agrawal @ Madhu Aggarwal Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Priyanshu Kamra, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Mr. Baljeet Beniwal, 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.505 dated 28.09.2019 under Sections 498-A, 406, 34 and 506 IPC 1860 registered at Police Station City Palwal District Palwal.

Learned counsel for the petitioner states that pursuant to order dated 26.10.2020, 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 Sanjay, states that though the petitioner has joined the investigation, the recovery of gold and silver jewellery, which were given at the time of marriage to the petitioner has not yet been effected. Hence, his custodial interrogation would be required. On a pointed query put to learned counsel for the State whether some evidence/material had been provided to the investigating agency by the complainant with respect to the jewellery given to the

petitioner, learned State counsel has very fairly admitted that there were no bills provided to the investigating agency in support thereof.

In view of the above, the petition is allowed and interim order dated 26.10.2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C as no convincing and cogent reason has been brought forth by the State for requiring the custodial interrogation of the petitioner.

18.01.2021
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(MANJARI NEHRU KAUL)
JUDGE

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