

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

203

**CRM-M-29959-2019(O&M)
Decided on : 23.07.2021**

BHIM SAIN SINGLA AND ANOTHER

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

**CRM-M-32636-2019(O&M)
Decided on : 23.07.2021**

MUNISH KUMAR SINGLA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Bhola Singh.

Mr. Sumeet Khaira, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

This common order shall dispose of both the aforementioned
petitions as both the petitions arise out of the same FIR.

The present petitions have been filed under Section 438
Cr.P.C., for grant of anticipatory bail to the petitioners in case FIR No.25
dated 21.06.2019 under Section 498-A, 406 and 313 of the IPC registered at
Police Station Women Cell Bathinda, District Bathinda.

Learned State counsel on instructions from ASI Bhola Singh
states that though the petitioners have joined the investigation in
compliance of order dated 26.09.2019 and 24.01.2020, however they are not

co-operating with the investigating agency, inasmuch as certain household articles and gold jewellery have not yet been recovered.

Learned counsel for the petitioners on the other hand has refuted the submission made by the learned State counsel by submitting that the complainant as per her own admission made over the telephone to one Nirmal Singh (her father's friend) had taken all her gold ornaments with her while leaving her matrimonial home. In addition, it has been submitted that the complainant who is residing on the 1st floor of the house of the petitioners has been using all the household articles which allegedly are in the possession of the petitioners. Hence in the aforementioned circumstances, there was no question of getting any of the household article recovered.

Heard.

Be that as it may, demand and entrustment of the household articles and non-recovery of some of those articles from the petitioners are disputed questions of fact, which cannot be gone into at this stage by this Court.

Petitions are allowed and interim order dated 26th September 2019 and 24th January 2020 and made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

July 23, 2021
S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*