

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

CRM-M-31069-2019
Decided on : 23.09.2021

Manoj Kumar Sharma

..... Petitioner

Versus

State of Punjab & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. B.S.Kathuria, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

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.132 dated 10.06.2019 under Sections 498-A, 406 and 354 IPC 1860 registered at Police Station Sadar Khanna District Ludhiana.

Learned counsel for the petitioner states that it is essentially a matrimonial dispute between the parties, which has resulted in the registration of the FIR in question against the petitioner wherein false allegations have been levelled by the complainant of harassment on account of dowry demand. He further submits that pursuant to order dated 17.01.2020, passed by this Court, the petitioner has joined the investigation and whatever house-hold articles were in his possession stand duly returned.

Learned State counsel on instructions from SI Avtar Singh states that though the petitioner has joined the investigation, however, the entire recovery of household articles and cash, which was given at the time of marriage, has not yet been effected. He submits that the petitioner's custodial interrogation would thus be required.

Heard and perused the material available on record.

Learned State counsel has failed to bring forth any cogent reason for the custodial interrogation of the petitioner by the investigating agency.

In view of the above, the petition is allowed and interim order dated 17.01.2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

23.09.2021
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(MANJARI NEHRU KAUL)
JUDGE

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