

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

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**CRM-M-38531-2020(O&M)
Decided on : 24.08.2021**

GOVIND SHARMA

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. D.S. Gandhi, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG Punjab
assisted by ASI Rajak Singh.

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.12 dated 20.03.2020 under Section 406, 498-A and 506 of the IPC registered at Police Station Women, Amritsar.

Learned counsel for the petitioner submits that pursuant to order dated 23rd November 2020 passed by this Court, the petitioner has joined investigation. Learned counsel further submits that the petitioner has returned all the articles including gold ornaments which were in his possession.

Learned State counsel on instructions from ASI Rajak Singh has not disputed the factum of the petitioner having joined investigation. She however submits that though the petitioner has got recovered

approximately 5 tollas of gold, however, recovery of some other gold ornaments belonging to the complainant have to be effected.

Learned counsel for the petitioner has however submitted that the petitioner is not in possession of any such gold ornaments as has been alleged, as the complainant took with her all the gold ornaments when she left her matrimonial home.

Demand and entrustment of the 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.

In view of the above, the petition is allowed and interim order dated 23rd November 2020 is made absolute subject to the conditions laid down in Section 438(2) CrPC.

(MANJARI NEHRU KAUL)
JUDGE

August 24, 2021
S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>