

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

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**CRM-M-43470-2019(O&M)
Decided on :08.07.2021**

SOURABH KUMAR

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

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

PRESENT: Mr.Sukhvir Singh Sahu, Advocate
for the petitioner.

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

Mr. DPS Bajwa, 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.086 dated 07.08.2019 under Sections 498-A registered at Police Station Khanauri, District Sangrur.

At the outset, learned counsel for the petitioner submits that Section 406 IPC has been added subsequently.

On oral request of the learned counsel for the petitioner Section 406 IPC is added in the headnote/prayer clause of the petition. Registry to make necessary correction.

Learned counsel for the petitioner states that pursuant to order dated 06th February, 2020, passed by this Court, the petitioner has joined investigation.

Learned State counsel on instructions from ASI Malkit Singh states that the challan stands presented and the petitioner is no longer required for further interrogation.

However, learned counsel for the complainant submits that certain articles have not yet been returned by the petitioner, hence, he may not be extended the concession of bail.

In view of the above submissions made by the learned State counsel that the custodial interrogation of the petitioner is not required, the petition is allowed and interim order dated 06th February, 2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. The submissions of the learned counsel for the complainant that certain articles have not yet been returned are disputed questions of fact, which cannot be considered at this stage.

(MANJARI NEHRU KAUL)
JUDGE

July 08, 2021

S.Sharma(syr)

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