

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(201)

CRM-M-12300-2018(O&M)

Date of Decision: 11.02.2022

Chirag Nath

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. M.S. Sachdev, Advocate for the petitioner.

Ms. Sakshi Bakshi, A.A.G., Punjab.

Mr. Aman Pal, Advocate for the complainant.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No.6 dated 13.1.2018 registered under Sections 420, 406, 498-A I.P.C at Police Station, Women Cell, Ludhiana.

By virtue of the order dated 23.3.2018 while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that in pursuance to the order dated 23.3.2018, the petitioner has joined the investigation and fully cooperated and thus, the interim order may kindly be made absolute.

Learned counsel for the complainant has however opposed the submissions made by counsel for the petitioner. He submits that though the petitioner has joined investigation, however, recovery of the dowry articles remains to be effected from him.

Learned State counsel has endorsed the fact that petitioner has joined investigation, however, she disputes the recovery part.

It is admitted position that petitioner has joined investigation, however, as far as the recovery part is concerned, that cannot be a sole ground for declining the interim bail granted to him.

In view of the above, the order dated 23.3.2018 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

11.02.2022

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