

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

CRM-M-5001-2023

Date of decision : 02.05.2023

Avtar Singh

..... Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Nitin Meel, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Kamal Narula, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.4 dated 13.01.2023, under Sections 457, 380, 447, 511, 427, 34 of IPC, at Police Station Guruharsahai, District Ferozepur.

Vide order dated 01.02.2023, while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner has submitted that pursuant to order dated 01.02.2023, petitioner has joined the investigation and as such his interim bail may be made absolute.

Learned State counsel, on instructions from ASI Rohtash, affirmed the fact that the petitioner has joined the investigation and he is no more required for further investigation.

Learned counsel for the complainant has opposed the prayer made by learned counsel for the petitioner and has stated that the recovery

of articles are yet to be effected from the petitioner.

Considering the contentions raised by the counsel for parties, it is settled law that non-recovery of articles cannot be held as a valid ground for rejection of anticipatory bail. So keeping in view the above said facts, interim order dated 01.02.2023 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. Petition stands allowed.

02.05.2023
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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