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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19949 of 2015

Date of decision: November 02, 2015

Mohd. Jahangir Khan

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Harish Chhabra, Advocate
for the petitioner.

Ms. Mahima, AAG Haryana.

None for the complainant.

SABINA, J

Petitioner has filed this petition under Section 438 of Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.58 dated 11.02.2015, under Sections 498-A, 406, 323, 506, 34 of Indian Penal Code, 1860, registered at Police Station Sector 40, Gurgaon.

Prosecution story, in brief, is that the complainant got married to the petitioner on 11.11.2005. Petitioner had agreed to pay ₹5,00,000/- by way of *Mehar*. Complainant came to know from a news item that the petitioner had again expressed his willingness to get married and had projected himself as unmarried. It is further the case of the complainant that at the time of her marriage, her mother had given all domestic articles and jewellery beyond her

capacity to the complainant. Mother of the complainant had also given ₹2,00,000/- in cash at the time of marriage of the complainant. However, complainant was being harassed by the petitioner on account of insufficiency of dowry.

Following order was passed by this Court on 11.09.2015:-

“Service of complainant is complete, but none has appeared on her behalf.

List again on 02.11.2015.

In the meantime, in the event of arrest, petitioner be admitted to interim bail subject to the satisfaction of the Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

Learned State counsel who is assisted by Sub Inspector Surinder Kumar has submitted that, although, petitioner has joined investigation but recovery of the articles/jewellery is yet to be effected.

Since in the present case, although, petitioner has joined investigation but recovery of the articles/jewellery has not been effected, no ground for grant of anticipatory bail to the petitioner, is made out.

Dismissed.

**(SABINA)
JUDGE**

November 02, 2015
mahavir