

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr.Misc. M 27378 of 2014
Date of decision:- 4.2.2015

Vinay

Petitioner

vs.

State of Haryana

Respondent

Present: Ms. Sagrika, Advocate.
Mr. MS Sidhu, Addl.A.G. Hry
Mr. APS Sandhu, Advocate.

M.M.S.BEDI,J.

Report has been received from the Mediation and Conciliation Centre that matter could not be amicably resolved.

The petitioner seeks the concession of pre-arrest bail in a case registered at the instance of complainant Rinku, wife of the petitioner, alleging that she was married to the petitioner on 20.1.2007. She was harassed for dowry after one year of the marriage and was turned out of the matrimonial home. A sum of Rs.50,000/- was demanded for purchasing a plot. There are allegations that on 4.6.2014 the petitioner tried to inflict an injury on the head of the complainant with a rod in connivance with other in-laws of the complainant. She was alleged rescued by her brother.

Counsel for the petitioner has vehemently contended that in the year 2010 an FIR u/s 498-A/406 IPC was registered against the petitioner. He remained in police custody for 3 days and was later released on bail.

Counsel for the petitioner submits that the present FIR has again been registered after the petitioner was acquitted in the earlier FIR

on 1.8.2011.

It has been argued that on account of beating given to the petitioner, an FIR was registered against the complainant's family. The present FIR is stated to be a counter blast to the FIR registered on 4.6.2014 at the instance of the petitioner. Since the petitioner, after having been tried u/s 498-A/406 IPC stands acquitted, the culpability of the petitioner will certainly be a moot point, during trial.

The petition is allowed and interim order dated 13.8.2014 is hereby made absolute subject to the condition that the petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. The petitioner will not make any attempt to brow beat the witnesses, in any manner.

February 4 , 2015
TSM

(M.M.S.BEDI)
JUDGE