

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-28966 of 2015

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Date of decision:14.12.2015

Naresh Kumar

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Amit Kumar, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

Mr. Sumit Sangwan, Advocate for the complainant with
complainant-Ms. Renu is present in person.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant
of anticipatory bail in case FIR No.145 dated 25.6.2015 registered for the
offences under Sections 498-A, 406, 506 and 34 IPC at Police Station
Loharu, District Bhiwani.

Notice of motion has been issued in this case.

Mr. Anmol Malik, learned Assistant Advocate General,
Haryana has put in appearance on behalf of the respondent-State and Mr.
Sumit Sangwan, learned Advocate has appeared on behalf of the
complainant with complainant-Ms. Renu in person and have contested this
petition.

I have heard learned counsel for the petitioner as well as

learned Assistant Advocate General, Haryana appearing for the respondent-State and learned Advocate for the complainant and have gone through the record.

From the record, I find that the petitioner, who is husband of the complainant, has already joined the investigation. Learned State counsel states that the recovery of dowry articles have already been effected and the petitioner is not required for custodial interrogation.

On the other hand, the complainant says that complete dowry articles have not been recovered so far. As per the order dated 6.11.2015, ₹10,000/- has been paid to the complainant in the Court.

Keeping in view the facts and circumstances of the present case and the fact that the petitioner has already joined the investigation and dowry articles have been recovered and no custodial interrogation is required, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 4.9.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

December 14, 2015.

(Inderjit Singh)
Judge

hsp