

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-33265 of 2013 (O&M)
Date of Decision: January 12, 2015

Nafe Singh

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Gautum Dutt, Advocate
for the petitioner.

Mr.Deepak Grewal, Deputy Advocate General, Haryana
for the respondent-State.

Mr.Gurcharan Dass, Advocate
for the complainant-respondent No.2.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.777 dated 16.09.2013 under Sections 498-A and 406 IPC registered at Police Station City Rohtak, District Rohtak.

Learned counsel for the petitioner argued that the petitioner is a Government employee and serving as Inspector in Chandigarh Police. The FIR was registered on the basis of statement of Poonam. He submitted that the marriage of complainant and petitioner's son was very simple and neither any dowry articles were demanded by the petitioner or his family nor any dowry was ever

given by the complainant's family except few gifts that too at their own sweet will. It is stated in the petition that petitioner and his family extended financial help to the complainant, which is mentioned in the petition in detail. It is also stated that ₹3 lacs were transferred by Poonam from her FDR to her saving account and same were withdrawn by her two days before leaving India. It is further stated that ₹7.5 lacs education loan was also got sanctioned for admission of Poonam and ₹3 lacs were withdrawn from above-said loan account and later on same were deposited by the petitioner. It is also stated that complainant had also made complaint against her husband in Australia where intervention order was passed and in that complaint there is no allegation of dowry demand and even charge-sheet has been filed against husband of the complainant and in that charge-sheet also, there is no demand of dowry.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that the petitioner joined the investigation. The petitioner, who is father-in-law of complainant, is not supposed to have the dowry articles. The parties were residing in Australia and in the complaint made in Australia, as stated, there was no mention of raising of dowry demand.

Keeping in view the facts and circumstances of the present

case and in view of the fact that petitioner is not required for custodial interrogation and without discussing the merits of the case in minute details and without expressing any opinion on the merit of the case, I find it a fit case where petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is allowed. The order dated 03.10.2013 granting interim bail to the petitioner is made absolute.

January 12, 2015
Vgulati

(INDERJIT SINGH)
JUDGE