

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

CRM No.M-32054 of 2014
Date of decision: 13.01.2015

Vikram Khattar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. G.B.S. Dhillon, Advocate for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana
assisted by ASI Ram Kumar.

Mr. Anupam Gupta, Senior Advocate with
Mr. Bhavnik Mehta, Advocate and
Mr. Ashok Kumar, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.349, dated 5.08.2014, registered under Sections 354-A, 406 IPC and Section 3 & 4 of the Dowry Prohibition Act, 1961, at Police Station Sector 5, Panchkula.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. As the marriage between the petitioner and the complainant was not solemnized, so, no case under Dowry Prohibition Act is made out against the petitioner. In pursuance of the order dated 13.10.2014, the petitioner has joined the

investigation.

On the other hand, the learned counsel for the complainant opposes the prayer and contends that the petitioner was engaged to the complainant on 06.10.2013. A huge amount was spent by the family of the complainant on the engagement ceremony. However, the petitioner raised a demand of Audi car, and insisted upon her to have intercourse with him. The petitioner has harassed the complainant by posting defamatory material on her facebook profile and on her mobile phone, thus, he is not entitled to bail.

The learned State counsel, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation. During the investigation, the mobile number from which the alleged obscene videos were sent, was found to be in the name of one Jallani Mohammad from Tamil Nadu.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.12.2014, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

13.01.2015

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(JITENDRA CHAUHAN)
JUDGE