

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3519-2015

Date of decision: 19.05.2015

Vikas Chopra

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Krishan Singh, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Abhijat Gaur, Advocate for respondent No. 2.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 09 dated 10.01.2015 registered under Sections 406/498-A/323/506 IPC at Police Station Civil Lines, Sonapat, District Sonapat.

When this case was listed on 06.02.2015, following order was passed:-

“CRM No. 3960 of 2015

After hearing the learned counsel for the petitioner, going through the record/contents of the application, to my mind, the presence of complainant is very much essential to decide the real controversy

between the parties involved in this case. Consequently, the application is allowed. Complainant-Sarita daughter of Ishwar Dutt Barra, is ordered to be impleaded as respondent No.2, in the array of respondents.

The amended memo of parties is taken on record. The crl. misc. application stands disposed of.

CRM-M No. 3519 of 2015

Learned counsel, inter alia, contended that although the petitioner is not at fault, even then he is prepared to resume cohabitation and amicably settle the matter with the complainant. In case of failure thereof, he is prepared to return all the dowry articles to her.

Heard.

Notice of motion be issued to the respondents, returnable for 02.03.2015.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of his arrest, the Arresting Officer would admit him to bail on his furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- to his satisfaction.”

Marriage of the petitioner with Sarita-respondent No. 2 (complainant) was solemnized on 14.01.2013. Initially, there were

differences and the matter was settled between the parties as per compromise dated 22.01.2014 (Annexure P-3) in which it was recorded by respondent No. 2-complainant that she has taken back her dowry articles. Later on, again differences arose between them.

On instructions from ASI Sahedev, learned State counsel submits that the petitioner has joined the investigation on 21.02.2015 but certain articles are yet to be recovered from him.

For that purpose, the petitioner is again directed to appear before the Investigating Officer/SHO of the police station concerned on 02.06.2015 from 11.00 a.m. to 2.00 p.m. He is directed to co-operate with the investigation and keep on joining the same as and when required.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioner vide order dated 06.02.2015 is made absolute and the petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.

In case, the petitioner does not appear before the Investigating Officer/SHO on 02.06.2015 from 11.00 a.m. to 2.00 p.m., the concession granted to him by this order shall automatically stand vacated.

May 19, 2015
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(R.P. NAGRATH)
JUDGE