

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

CRM-M No. 14963 of 2016 (O&M)

Date of decision: 25.07.2016

Kailash Devi & Another

...Petitioners

Vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Present : Mr. Gurinder Pal Singh, Advocate
for the petitioners.

Mr. Surender Singh, AAG, Haryana.

JASPAL SINGH, J. (Oral)

This is a petition preferred by the petitioners under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No. 106, dated 25.03.2016, under Sections 420, 406 read with Section 34 of the Indian Penal Code read with Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Pataudi, Gurugram, Haryana (Annexure P-6).

While issuing notice of motion, following order was passed by a coordinate Bench of this Court on 03.05.2016:-

"Prayer is for grant of anticipatory bail to accused petitioners Kailash Devi and Sunil in case FIR No.106 dated 25.3.2016 under Sections 420,406,read with Section 34 IPC, read with Section 4 of Dowry Prohibition Act,28/1961,PS Pataudi,Gurugram,Haryana.

Marriage of co-accused Gautam was fixed to be performed on 6.2.2016 with Damini-daughter of the complainant Kulbhushan Yadav. Petitioner no.1 is mother and petitioner no.2 is brother of coaccused Gautam. Accused party backed off from the marriage on account of information that would-be bride was already in a relationship with somebody else whereas the complainant party accuses them of a dowry demand of a Fortuner car.

At the very outset, learned counsel states that accused petitioners and the other co-accused are ready and willing to amicably settle the issue.

Notice of motion for 18.5.2016.

In the event of arrest, the petitioners shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioners shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.

Parties are directed to remain present in Court on the next date of hearing.

Investigating Officer concerned shall ensure presence of the complainant on the next date of hearing."

On instructions from ASI Ashok Kumar, learned State counsel has submitted that in compliance of order dated 03.05.2016, petitioners have joined the investigation and even subsequent thereto in compliance of order dated 18.05.2016, petitioners have already appeared before I.O./SHO on 23.05.2016 for investigation.

Since the petitioners have already joined the investigation and have complied with the orders dated 03.05.2016 & 18.05.2016 and are no more required for further investigation.

Taking into consideration the above facts of the case, interim order dated 03.05.2016 is made absolute, subject to the conditions, as envisaged under Section

438(2) Cr.P.C.

July 25, 2016
waseem

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No