

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

**Crl. Misc. No. M-40181 of 2015(O&M)
Date of decision : 11.08.2016**

Rahul Malik

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. V.K. Jindal, Senior Advocate with
Mr. Amardeep Sheoran, Advocate
for the petitioner.**

Ms. Dimple Jain, AAG Haryana.

**Mr. K.D.S. Hooda, Advocate
for the complainant.**

ANITA CHAUDHRY, J.

The petitioner is seeking pre-arrest bail in FIR No. 84 dated 14.10.2015, registered at Police Station Women, Sonipat, under Sections 323, 406, 498-A and 506 IPC read with Section 34 IPC.

Efforts for reconciliation have failed even before Mediators.

Learned counsel for the complainant has pointed out that the dowry articles are yet to be recovered from the petitioner. A list thereof has been produced in the Court, which has been taken on record as Mark-X. He further submits that the petitioner is posted in Kargil and he will not be able to hand over the jewellery items mentioned in the list Mark-X himself but he can arrange for sending it to the investigating officer. He further states that both cars have been

returned. Learned counsel for the complainant points out that two cars which were handed over to them were junk and were in a bad condition.

Learned State counsel admits that the petitioner has joined the investigation and custodial interrogation is not required.

Looking to all these circumstances, but without commenting on the merits of the case, the petition is allowed and order dated 30.11.2015 granting interim anticipatory bail to the petitioner is made absolute subject to the condition that the petitioner would return all the articles/ jewellery mentioned in the list Mark-X and shall additionally pay a sum of Rs.5 lacs to the complainant in lieu of the damage caused to the cars, in the presence of the investigating officer within fortnight. In case the direction is not complied with, the complainant shall be at liberty to file an application for recall of the order.

August 11, 2016
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes

Whether reportable

No