

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

CRM-M -1908 of 2017 (O&M)

Date of decision: 19.07.2017

Rahul

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Vikas P. Singh, Advocate for the petitioner(s).

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Sooraj Singh.

Mr. Dinesh Arora, Advocate for respondent No.2.

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 FIR No.871 dated 17.12.2016, registered under Sections 323, 354A (1), 498-A, 506 read with Section 34 of IPC, at Police Station Central, Faridabad.

On 23.01.2017, this Court had passed the following order:-

“Counsel for the petitioner inter alia contends that offence under Section 354A(1) of the Indian Penal Code, 1860 (in short ‘IPC’) has been deleted later in point of time. It is further submitted that the Court below dismissed the application for bail primarily on the ground that dowry articles are yet to be recovered but as a matter of fact no case under Section 406 IPC is registered against the

petitioner. It is further argued that offence under Section 323 IPC is bailable and no recovery is to be effected from the petitioner who is otherwise ready to join investigation.

Notice of motion for 25.04.2017.

In the meantime, the petitioner shall join the investigation within a period of 10 days. In case, he joins the investigation within the stipulated period, he shall be released on interim bail by the investigating officer subject to the following conditions:-

- (i) He shall join the investigation as and when required by the Investigating Officer.*
- (ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and*
- (iii) He shall not leave the limits of this country without prior permission of the Court.”*

It is contended that in pursuance of the order dated 23.01.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation. She further states that respondent No.2 refused to remove the dowry articles from the house of the petitioner.

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 23.01.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

19.07.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No