

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

CRM-M-20168-2016

Date of decision: 12.10.2017

Ajit

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Anurag Jain, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Rajesh Hooda, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of anticipatory bail to the petitioner in case FIR No.21 dated 08.01.2016 under Sections 406, 498A, 506 IPC (offences under Sections 313, 34, 377 IPC were deleted), registered at Police Station City Rohtak, District Rohtak.

This Court was pleased to pass the following order on 03.06.2016 :-

“Learned counsel for the petitioner submits that the dispute arose between the parties is due to temperamental in nature. Earlier also, a complaint was made by the complainant but the allegations levelled therein were found to be false. Learned counsel further submits that earlier the present FIR was registered under Sections 313, 377 read with Section 34 IPC but the same were deleted subsequently. In the initial complaint, the allegations levelled against the petitioner were that he was having relations with some other woman. Subsequently, the complaint was made by alleging certain allegations of demand of dowry and harassment

and all the family members of the petitioner have been implicated. The petitioner made all efforts to settle the dispute but still it could not be settled. The petitioner has also filed a divorce petition much prior to the lodging of the present FIR, which is still pending. The petitioner is still ready to settle the dispute with the complainant.

On oral request of learned counsel for the petitioner, complainant-Anita D/o Sh. Rajpal resident of House No.1290/1, Shastri Nagar, Hisar Bye Pass, Rohtak is impleaded as respondent No.2.

Notice of motion for 09.09.2016.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer subject to deposit of an amount of ₹ 35,000/- as litigation expenses by way of draft in the name of the complainant with the investigating Officer, which shall be handed over to the complainant. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make himself available for interrogation before investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;*
- (iii) that the petitioner shall not leave India without the prior permission of the Court. Parties are directed to be present in the Court on the next date of hearing.*

The parties are directed to be present in the Court on the next date of hearing.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State confirms the aforesaid fact.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 03.06.2016 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

12.10.2017

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.