

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

CRM-M-22501-2017 (O&M)

Date of decision : 01.12.2017

Pankaj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Tapan Yadav, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,
assisted by ASI Kavita.

Mr. Manish Soni, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in FIR No.284 dated 07.07.2016, registered under Sections 498-A, 342, 506, 406 and 323 read with Section 34 of the Indian Penal Code (Section 313 IPC deleted subsequently), at Police Station Kherki Daula, Gurugram.

Heard.

On 22.06.2017, the following order was passed:-

“Heard.

Counsel for the petitioner submits that petitioner is ready to return the amount of ₹5 lakh which was allegedly paid to the petitioner by the relatives of complainant. He will deposit this amount within two weeks. He is also ready to settle the dispute with the complainant amicably through mediation.

Notice of motion for 21.07.2017.

Petitioner will deposit the amount of ₹5 lakh with Chief Judicial Magistrate/Duty Magistrate, Gurugram (Gurgaon) within a period of two weeks from today. In the meanwhile,

petitioner is directed to surrender before the police and join investigation. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

It is, however, made clear that in the event of ₹5 lakh being not deposited within a period of two weeks, the benefit of interim bail shall stand withdrawn and the petitioner will be taken into custody after expiry of period of two weeks.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation. She further informs that the complainant did not come forward to take possession of the dowry articles handed over to the police by 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 22.06.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

01.12.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No