

**sIN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-22603-2017
Date of Decision: 08.09.2017**

Dharmender Kumar

...Petitioner

Versus

State of Haryana & Another

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. J. P. Jangu, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Abhimanyu Singh, Advocate
for respondent No. 2/complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 208 dated 08.04.2017, under Sections 323, 34, 406, 498-A and 506 of the Indian Penal Code, registered at Police Station Khedki Daula, District Gurugram.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case. It is argued that Jyoti, with whom he has solemnized marriage on 21.04.2015 as per Hindu rites and rituals, had already preferred a petition, under Section 13-B of the Hindu Marriage Act, and all allegations qua demand of dowry, physical and mental cruelty are not borne out. It is also argued that FIR was lodged against the parents of the petitioner as well which would indicate that an effort had been made

to rope in all family members only to harass the husband and his family.

I have heard learned counsel for the parties and have perused the case file while also noting that as on date, no dowry articles had been recovered. The petition that had been filed under Section 13-B of the Hindu Marriage Act did not culminate in a divorce proceedings as the statement under the second motion petition was not recorded. The allegations as made out in the FIR did not warrant any interference by this Court. The matter is yet to be investigated as to whether there was a demand for dowry, cruelty etc. as alleged. The interim bail granted to the parents of the petitioner has been confirmed by this Court vide order of the even date passed in **CRM-M-16725-2017**.

In view of above, the interim bail granted to the petitioner herein on 27.06.2017 is hereby vacated and the present petitions is dismissed as well.

08.09.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No