

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

CRM-M-22961-2017 (O&M)
Date of decision : 21.09.2017

Rakesh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Neeraj Sheoran, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana
assisted by ASI Suresh Kumar.

Mr. S.S. Virk, Advocate for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.276 dated 6.04.2017, registered under Sections 323, 354, 406 and 498-A read with Section 34 of the Indian Penal Code, at Police Station Model Town, Panipat.

Heard.

On 03.07.2017, the following order was passed:-

“On oral request, the petitioner is permitted to implead the complainant as respondent in this case. Amended memo of parties be filed and thereafter notice of motion be issued to respondents for 05.09.2017.

In the meanwhile, petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 sub Section 2 Clause (i)(ii) and (iii) of the Code of Criminal Procedure.”

Learned counsel for the petitioner contends that in pursuance of the orders passed by this Court, the petitioner has joined the investigation. The vehicle in question has also been returned. He further states that the petitioner is ready to transfer the vehicle in the name of the complainant or anybody else nominated by her.

Learned State counsel, on instructions, submits that the petitioner has joined the investigation. She informs that as the vehicle in question is in the name of the petitioner, the complainant has not taken its possession. It is further stated that the complainant has received back the dowry articles but refused to sign the recovery memo. However, certain jewellery items are yet to be recovered.

Keeping in view the above and the fact that the marriage in question took place in the year 2007, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 03.07.2017, 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.

21.09.2017
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(JITENDRA CHAUHAN)
JUDGE

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