

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

CRM-M- 41283-2016
Date of decision: 8.2.2017

Anil Dahiya

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Gopal Sharma, Advocate for the petitioner.

Mr. Vikas Malik, AAG, Haryana.

REKHA MITTAL, J.(Oral)

Counsel for the petitioner has submitted that the petitioner has already joined investigation in compliance with interim bail granted by this Court vide order dated 21.11.2016. It is further submitted that he is ready to face the proceedings, in accordance with law, without any default and co-operate throughout.

Counsel for the State has submitted that though the petitioner has joined investigation but no recovery has been effected. It is further submitted that the complainant submitted a list dated 19.10.2016 with regard to expenses on roka function, sagai (engagement) and marriage with detail of articles given on each occasion and a copy of the list was produced for perusal of the Court.

Counsel for the petitioner, in response, has submitted that in the FIR registered on 17.10.2016, there is no reference to any of the articles of Istridhan being in possession of the petitioner. It is further argued that the petitioner is an Engineer. After marriage, the couple stayed at Hyderabad and Pune. The petitioner has an account with

Axis Bank Ltd., Pune and as per entries in the said account w.e.f. 08.04.2014 till 06.04.2016; many withdrawals were made in favour of mother of the complainant and complainant. The petitioner obtained a loan of Rs.4 lakh from HDFC Bank in July 2010 for purchasing household articles. It is further submitted that the petitioner is not in possession of any of the articles of dowry belonging to the complainant.

I have heard counsel for the parties, perused the paper-book and the list dated 19.10.2016.

The marriage was performed in the year 2009 and the FIR has been lodged in the year 2016. As per allegations in the FIR, the parties remained residing together till 2015. There is no such allegation that the utensils, clothes and beddings etc. stated to be given in dowry were not allowed to be used since 2009 onwards. The list contains only few articles of jewellery belonging to the complainant.

The complainant did not cause appearance despite service, sufficient to prove that she did not want to contest the petition and controvert the averments raised by the petitioner. Counsel for the State is not in a position to say something with regard to withdrawals.

In view of the above, the petition stands disposed of. Interim bail granted to the petitioner vide order dated 21.11.2016 is made absolute subject to the following conditions:-

- (i) He shall make himself available for interrogation by a police officer as and when required;
- (ii) He 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) He shall not leave India without the previous permission of the Court.

FEBRUARY 8, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No