

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-44225 of 2015

Date of Decision:28.4.2017

Ramesh Kumar

---Petitioner

vs.

State of Haryana and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. P.C.Dhaliwal, Advocate
for Mr. Ashish Naik, Advocate
for the petitioner

Ms. Dimple Jain, AAG Haryana
assisted by Mr. Sarfraj Hussain, Advocate
for the complainant.

Rekha Mittal, J.

Counsel for the petitioner has submitted that the petitioner has already joined investigation in compliance with interim bail allowed by this Court vide order dated 5.1.2016. It is further submitted that though the complainant/respondent No. 2 has already taken away her jewellery at the time of leaving the matrimonial home but the petitioner is ready to compensate her in regard to claim of jewellery by payment of amount, assessed by the Court subject, however, to outcome of the litigation.

Counsel for the State of Haryana assisted by counsel for the complainant would submit that the petitioner is not entitled to benefit of pre arrest bail as recovery of articles of stridhan is yet to be effected.

In view of the above, the present petition is disposed of.
Interim bail granted to the petitioner is made absolute subject to the

following conditions:-

- (i) He shall join the investigation as and when required by the Investigating Officer.
- (ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (iii) He shall not leave the limits of this country without prior permission of the Court.
- (iv) The petitioner shall prepare a demand draft of an amount of Rs. 1 lakh in the name of the complainant and the same shall be deposited with the investigating officer within a period of 20 days. The complainant shall be entitled to encash the demand draft subject to outcome of the litigation.

All the articles of domestic use which were brought by the complainant in the matrimonial home would be returned to the police during investigation, as agreed by the parties.

Failure of the petitioner to deposit the amount of Rs. 1 lakh with the investigating officer within the stipulated period would entail dismissal of the petition.

Petition stands disposed of accordingly.

(Rekha Mittal)
Judge

28.4.2017
paramjit

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