

CRM-M-18966-2017 (O&M)
Date of Decision : 22.11.2018

Deepak Meena

.....Petitioner

versus

State of Haryana and another

....Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Ms. Ruchi Gupta, Advocate
for the petitioner.Mr. Munish Sharma, AAG, Haryana
for respondent No.1-State.Mr. Himanshu Chhabra, Advocate
for the complainant/respondent No.2.**FATEH DEEP SINGH, J. (ORAL)****CRM-12910-2018**

Learned counsel for the applicant/petitioner has made statement
withdrawing the present application, at this stage.

Allowed to do so.

Dismissed as withdrawn.

CRM-21546-2018

Learned counsel for the applicant/petitioner has made statement

withdrawing the present application, at this stage.

Allowed to do so.

Dismissed as withdrawn.

CRM-M-18966-2017

The allegations against petitioner-Deepak Meena, husband of complainant/respondent No.2-Dipti Meena in this anticipatory bail application are that the couple on account of their friendship entered into a relationship and as a consequence of which, against the wishes of their parents, had married on 18.04.2013. It is alleged that subsequent thereto, the family of the girl, with a view to reconcile, had given gold jewellery and other household items valued approximately ₹4 lakh, subsequently, thereto, on account of matrimonial dispute has led to the filing of the present petition.

Learned counsel for the petitioner has submitted that it is the own stand of the complainant taken in the affidavit (Annexure P-4) that it was a love affair which culminated into matrimonial grouch and therefore, question of recovery of articles of *Istridhan* as has been posed by the State does not arise.

The learned State counsel assisted by Mr. Himanshu Chhabra, Advocate for the complainant/respondent No.2 has sought to oppose the grant of bail on the ground that it is well listed in the application contained in the FIR that it was after the marriage, on 03.06.2013, the parents of the complainant had given the costly articles including gold jewellery and thus, the petitioner is not entitled to bail as he though has joined the

investigation but refused to cooperate *qua* these articles. Counsel for the complainant has also placed reliance on the judgment passed by the Coordinate Bench of this Court in 'CRM-M No.9736 of 2018' titled as "Sumanjit Singh versus State of Punjab and another".

Going through the submissions, it is own stand of the State that the petitioner has joined the investigation. A debatable issue arises that whether articles given, subsequent to the marriage, the latter being the matter of love affair falls within the terminology of "*Istridhan*" and which can be adjudicated at the time of trial. The cited ratio is factually at variance.

In the light of the statement made by learned State counsel, the interim bail granted to the petitioner vide order dated 30.08.2018 is made absolute till submission of report under Section 173 Cr.P.C (challan). Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. The petitioner shall abide by the conditions laid down in Section 438 (2) Cr.P.C.

With these observations, the present petition stands disposed off.

22.11.2018
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No