

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

Crl. Misc. M 29675 of 2016 (O&M)

Date of decision: 26.2.2018

Vijay Kumar Bhandari and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. V.K. Jindal, Senior Advocate with
Ms. Janya Sirohi, Advocate,
for the petitioners.

Mr. P.P. Chahar, DAG, Haryana.

Mr. K. S. Khehar, Advocate,
for the complainant.

JAISHREE THAKUR, J.

This is a petition that has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 46 dated 9.8.2016 under Sections 406, 498-A and 120-B registered at Women Police Station, District Panchkula.

This Court was pleased to pass the following order on 26.8.2016:-

“Learned counsel inter alia contends that the petitioners are in-laws of the complainant and there are general allegations against the petitioners. Further complainant herself had stated that father-in-law had made an attempt to pacify his son and in a short span of time, the husband of the complainant visited Europe, Hong Kong,

Canada, Leh Laddakh etc, which shows that there was no demand of dowry.

On oral request of the petitioner, complainant-Lovina Bhatia resident of H. No. 4703, Jalvaya Vihar, GF4A, Sector 20, Panchkula, is impleaded as party.

Subject to deposit of Rs.30,000/- before the Registry of this Court towards litigation expenses, notice be issued to the respondents, returnable by 20.10.2016.

Meanwhile, petitioners are directed to join the investigation as and when called by the Investigating Officer. In the event of their arrest, they shall be released on bail by the Investigating Officer on their furnishing bail bonds/sureties to his satisfaction, subject to the conditions mentioned below, as envisaged in Section 438 (2) Cr.P.C :-

i. a condition that the persons shall make themselves available for interrogation by Police Officer as and when required;

ii. a condition that the persons 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. a condition that the persons shall not leave India without the previous permission of the Court iv. such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”

Learned counsel for the petitioners submits that the petitioners are aged, petitioner No.1 being 71 years old and they are suffering from various old age related medical problem. It is further submitted that in pursuance of the order passed by this Court, they have joined the

investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by the petitioners.

Since the petitioners have joined the investigation, the petition is allowed and interim order dated 26.8.2016 is hereby made absolute, subject to the condition that the petitioners will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438 (2) of the Code of Criminal Procedure.

26.2.2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No