

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

Crl. Misc. No.M-32468 of 2018

Date of decision : 07.08.2018

Anil Kumar Budhiraja

.....Petitioner(s)

Versus

State of U.T. Chandigarh

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. J.S. Bedi, Sr. Advocate
with Mr. Sandeep Wadhawan, Advocate
for the petitioner.

Mr. J.S. Toor, APP, U.T., Chandigarh.

Mr. Ajay Kumar Gupta, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 277 dated 18.06.2018, registered under Section 498-A, 304-B IPC, Police Station Manimajra, Chandigarh.

Counsel for the petitioner contends that the complainant's daughter had solemnized the Court marriage with Sukant in March 2017 and the allegations are that the complainant had transferred Rs. 2 lacs in her daughter's account and Sukant and his family members were demanding dowry and Inova car. Counsel submits that petitioner's wife Megha is the sister of Sukant and she has already been allowed anticipatory bail. Counsel contends that Sukant was arrested and is in custody. He further submits that the petitioner resides in Sector 46, Chandigarh whereas the couple was living in Manimajra whereas the in-laws were residing separately. The counsel refers to the documents appended with the petition and urges that their turn

over is in crores and there are no reasons to demand dowry from the complainant's daughter. Counsel also refers to the 'Whatsapp' chat exchanged with Roma by the petitioner's wife in May 2018. Counsel further submits that Roma and Sukant had approached this Court for protection in March 2017 as it was a run away marriage.

The prayer is opposed by the complainant and some photographs were shown at the time of arguments and the contention of the counsel for the complainant is that it was a case of murder and if the photographs are seen, the girl could not have committed suicide. The counsel urges that the petitioner had arrived on the scene but did not inform the police and it was the neighbours who had noted some commotion and had informed the police.

On perusal of the photographs, it can be seen that the petitioner had arrived on the scene after the incident. The neighbours is seen in one of the photographs and the arrival of the petitioner on the spot is after the neighbour notices some commotion.

The investigation is almost over. Challan is about to be filed. The trial would indeed take time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate, subject to the condition that the petitioner will not contact the victim or her family in any manner.

07.08.2018

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No