

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

Crl. Misc. No. M-44922 of 2017

Date of decision : 09.10.2018

Nitin Aggarwal

... Petitioner

versus

State of Haryana

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Gaurav Kathuria, Advocate
for petitioner.**

Ms. Priyanka Sadar, AAG Haryana.

**Mr. Raja Sharma, Advocate
for the complainant.**

ANITA CHAUDHRY, J.

The petitioner is seeking anticipatory bail in FIR No. 752 dated 22.08.2017, registered at Police Station Sarai Khawaja, District Faridabad, under Sections 406 and 498-A IPC.

The petitioner is the husband. The matter was referred to mediation, but failed. On 11.05.2018 the complainant had stated that she is ready to take divorce and did not want to stay in the matrimonial home. The matter was adjourned to 10.08.2018 and the petitioner was asked to join the investigation. On 10.08.2018 it was brought to the notice that the complainant had refused to take the dowry article. The petitioner was directed to hand over all the articles to the police.

Learned counsel for the petitioner has pointed that that the petitioner had gone to the police station along with cash of Rs.11000/-, some sarees/ jeans etc., one pair of anklet/ chutki, 21 utensils and one

watch, but the same were not accepted by the complainant.

Learned counsel for the complainant has stated that one gold ring and a scooty was not returned by the petitioner, the keys of which were shown to have been handed to the petitioner in the photographs.

Learned counsel for the petitioner disputes about the scooty in the marriage. He had stated that the petitioner is ready to pay for the ring.

The petitioner has already joined the investigation. Custodial interrogation is not necessary. The complainant has refused to accept the articles. It is disputed question whether any scooty was given in the marriage and would be ascertained at the trial.

The petitioner will deposit a sum of Rs.11000/- and additional amount of Rs.5000/- towards the cost of ring with the trial Court/Illaqa Magistrate, which will be ultimately paid to the complainant within a month. The order dated 11.05.2018 granting ad-interim anticipatory bail to the petitioner is made absolute, subject to the petitioner's complying with the provisions contained in Section 438(2) Cr.P.C.

The petition is allowed.

October 09, 2018
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No