

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-4077 of 2019

Date of Decision: 15 July, 2019

Rakesh Kumar Rout

.....Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off anticipatory bail application under Section 438 Cr.P.C. moved in FIR No. 765 dated 30.11.2018 under Sections 323, 498-A, 406, 506 and 34 IPC, Police Station NIT, Faridabad, Haryana.

The allegations against petitioner Rakesh Kuamr Rout have been levelled by the complainant-wife alleging that their marriage took place on 12.08.2016, wherein, sufficient dowry articles were given and that due to matrimonial dispute and over more demand of dowry, the present case was got registered and in between there has been claims and counter claims, which are depicted in Annexures P-2

to P-4 and which were resolved, however, thereafter, the disputes persisted again leading to the registration of the present case.

Mr. Baljinder Virk, DAG, Haryana assisted SI Alimudeen has submitted that the entire articles of *Istridhan* stand recovered and the petitioner is not required by the Investigating Agency for further investigation and he does not oppose the grant of bail.

In the light of the stand of the State, it would be travesty of justice, if the petitioner is sent behind the bars as mere joining the investigation by the petitioner would suffice the purpose.

In view of above discussion, together with the fact that culpability, if any, of the petitioner shall be determined at the trial which is not likely to be concluded in the near future. Therefore, in the event of arrest, the petitioner be released on anticipatory bail to the satisfaction of Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. Thereafter, will be released on regular bail upon presentation of challan.

Disposed off.

July 15, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No