

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-10664-2019 (O&M)
Date of Decision:-19.8.2019

Vijay

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shalender Mohan, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana,
assisted by SI Suresh Pal.

Mr. Sandeep Kotla, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.1016 dated 1.11.2018 at Police Station City Hisar under Sections 323, 406, 498-A and 506 of Indian Penal Code.

Pursuant to directions issued by a Co-ordinate Bench of this Court on 8.3.2019, the petitioner has deposited an amount of ₹1 lac and another amount of ₹25,000/- before the trial Court.

The allegations as levelled in the FIR are broadly to the effect that the petitioner and other members of his family were not satisfied with the articles of dowry and frequently used to harass the complainant. It is

further alleged that on 3.3.2014 the complainant was also given beatings by the accused in order to press upon their demand of a Fortuner car. The accused are also alleged to have given beatings to the complainant on 2.1.2015 and was ultimately thrown out of her matrimonial home.

The learned counsel for the petitioner has submitted that a false FIR has been registered against the petitioner on account of some minor matrimonial differences between the parties and that, in any case, the petitioner pursuant, to the interim directions, has already deposited an amount of ₹1.25 lacs and that he deserves the concession of bail.

Opposing the petition, the learned State counsel assisted by the learned counsel for the complainant, has informed that the petitioner has since joined investigation but the gold articles comprising *stridhan* are yet to be recovered.

The learned counsel for the complainant has further informed that the petitioner has not even deposited any amount towards the maintenance as awarded @ ₹10,000/- per month under Section 125 Cr.P.C., which is due since the last about three years.

Having regard to the facts and circumstances of the case and without commenting anything on the merits of the case, the present petition is accepted and the petitioner, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C. This order shall, however, be subject to the condition

that the petitioner clears payment of atleast 50% of the arrears of maintenance awarded under Section 125 Cr.P.C. to complainant within two months from today.

The present petition stands accepted accordingly.

19.8.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No