

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

CRM-M-31831-2018 (O&M)

Date of Decision:- 3.9.2019

Kuldeep

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikram Sheoran, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

Mr. Lalit Yadav, Advocate, for
Mr. Badal Malik, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No. 70, dated 21.5.2018, registered at Police Station Baas, District Hisar, under Sections 498-A, 406, 506 IPC.
2. The FIR was lodged at the instance of respondent No.2 wherein it has been alleged that the complainant was married to petitioner-Kuldeep

on 24.1.2016 and that her parents had given dowry beyond their means after borrowing money. However, the petitioner and other members of his family were not happy with the same and started taunting the complainant for having brought less dowry. It is alleged that about one and a half years back the complainant was thrown out of her matrimonial home and that her jewellery was retained by the accused.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the entire allegation of demand of dowry and misappropriation of jewellery have been cooked up falsely. Learned counsel has further referred to the reply filed by the State which is accompanied by statement of complainant Mamta (Annexure R-2) wherein she has stated that her articles are lying in her room which she has locked and she does not wish to take her articles and wishes to reside in her matrimonial home.
4. Opposing the petition, the learned State counsel assisted by learned counsel for the complainant has submitted that since the petitioner is the husband and is specifically named in the FIR, no case for grant of anticipatory bail is made out. It has however been informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and while bearing in mind that it is a case which has arisen out of the matrimonial discord and that the petitioner has already joined investigation, it is not a case warranting custodial interrogation. The petition, as such, is accepted and interim directions issued vide order

dated 10.8.2018 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. The present petition stands accepted accordingly.

September 3, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No