

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

CRM-M-42253 of 2018.

Decided on:- November 20, 2019.

Mahesh.

.....Petitioner.

Versus

State of Haryana and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Ashok Kumar Sehrawat, Advocate for
Mr. Balkar Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

None for respondent No.2-complainant.

HARI PAL VERMA, J. (Oral)

The petitioner has filed the present petition under Section 438 Cr.P.C. seeking anticipatory bail in the event of his arrest in FIR No.345 dated 10.09.2018 under Sections 323, 498-A and 506 read with Section 34 IPC registered at Women Police Station Dadri City, District Charkhi Dadri.

The marriage of petitioner was solemnised with respondent No.2-complainant on 08.02.2013. There is one child from this marriage. Vide order dated October 15, 2018 passed by this Court, the petitioner was granted interim bail on his furnishing personal bonds and surety to the satisfaction of arresting/investigating officer.

Learned State counsel, on instructions from ASI Bheem Singh, states that the complainant was offered to identify the articles so as to get the recovery effected, however, she has refused to accompany the investigating

officer. However, as per the FIR, some dowry articles are required to be recovered in the case. She states that the petitioner has otherwise joined the investigation.

I have heard learned counsel for the parties.

Since the petitioner has joined the investigation, the present petition is allowed and the interim bail granted to the petitioner vide order dated October 15, 2018 is made absolute.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

The petitioner shall deposit a sum of Rs.1 lakh to the trial Court so as to secure the interest of complainant qua dowry articles or any other recovery to be effected. The said amount would be subject to outcome of the trial. It is made clear that in case the petitioner is convicted by the trial Court, the said amount shall go to the compliant and similarly, if he is acquitted by the trial Court, he shall be entitled to seek refund of the same.

November 20, 2019

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No