

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-46001 of 2017

Date of Decision: 14.01.2019

Subham

...Petitioner(s)

Versus

State of Haryana & another

...Respondent(s)

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

Present:- Mr. A.S. Miglani, Advocate for
Mr. Abhilaksh Grover, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Mr. S.S. Brar, Advocate for
Mr. HPS Ghumman, Advocate
for respondent no.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.639 dated 06.08.2017 under Sections 498A/406/377/354/34 IPC registered at Police Station Sector 7, Faridabad.

Learned counsel for the petitioner states that pursuant to order dated 04.12.2017 of this Court, the petitioner has joined the investigation and his custodial interrogation is no more required.

Learned State counsel, on instructions from ASI Gulshan submits that vide order dated 01.08.2018, the matter was referred to the Mediation and Conciliation Centre of this Court and as per the report received from the Mediation and Conciliation Centre, the parties could not reach at an amicable settlement. He further submits that though the petitioner has joined the investigation but recovery of certain articles is still required to be effected from him.

At the same time, counsel for the petitioner has pointed out that the complainant along with other family members has taken away the dowry articles in the absence of the petitioner.

Be that as it may, without commenting upon the merits of the case as to whether the dowry articles have been taken away by the family members or not, but considering the fact that the petitioner has joined the investigation, the present petition is allowed and the interim order dated 04.12.2017 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

January 14, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No