

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

CRM-M-24073-2019
Date of decision:29.8.2019

SHIV KUMAR

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ketan Antil, Advocate
for the petitioner.

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

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.404 dated 17.11.2018 under Sections 406, 498-A, 506 IPC, Police Station Bhuna, District Fatehabad.
2. The FIR was lodged at the instance of Suman wherein it has been alleged that she was married to the petitioner Shiv Kumar on 28.2.2017 and that the complainant's parents had given articles of dowry much more than their capacity and had spent an amount of ₹10 Lakhs but the petitioner

and other members of his family were not satisfied with the same and used to harass the complainant in order to press upon there demand of more dowry. It is specifically alleged that the accused petitioner demanded an amount of ₹1 lakh and also a motorcycle while the other accused demanded gold rings.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on account of matrimonial incompatibility and that the allegations as levelled in the FIR with regard to alleged demand of dowry and misappropriation of articles of Istri Dhan are all cooked up and all false allegations.
4. Opposing the petition, learned State counsel has submitted that the petitioner is specifically named in the FIR, no case for grant of anticipatory bail is made out. It has however been informed that petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and while bearing in mind that present case is apparently is a case of matrimonial discord and also that the petitioner has since joined investigation, this Court does not find the present case to be such which would warrant any custodial interrogation at this stage. Accordingly the petition is accepted and the interim directions issued vide dated 24.5.2019 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer 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.

6. Since it has been informed that the petitioner has deposited a demand draft for an amount of ₹50,000 before learned Judicial Magistrate Ist Class, Fatehabad in compliance of order dated 24.5.2019, the learned Judicial Magistrate Ist Class, Fatehabad shall release the said demand draft to the complainant who may encash it and use it in whichever way she likes.

29.8.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No