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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3020/2019**
RAJAT CHAUDHARY Petitioner

Through: Mr R. K. Prasad, Advocate.

versus

STATE & ANR. Respondents
Through: Mr Sanjay Lao, ASC for Ms Kamna
Vohra, ASC with ASI Hari Man, PS
Saket.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **23.10.2019**

CRL.M.A. 39026/2019

1. Allowed, subject to all just exceptions.

W.P.(CRL) 3020/2019

2. Issue notice. Mr Lao, learned ASC appearing for the State accepts notice.
3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondents not to seize the motor vehicle (Mercedes Benz No.HR 26-CZ-0012) from the possession of the petitioner.
4. The respondents are intending to seize the said vehicle in connection with FIR No.411/2018 under Sections 498A/406/34 IPC, registered with P.S. Saket. The said FIR was registered at the instance of the petitioner's

wife. She had alleged that the petitioner and his family members had committed offences under Section 498A/406 IPC and demanded dowry, which had been paid. One of the allegations is that the vehicle in question had also to be gifted to meet their demand at the time of marriage between the petitioner and his wife.

5. The investigation carried out had revealed that the said vehicle was purchased in the name of the petitioner. Bulk of the consideration for the same had been paid by taking a loan from the bank and the EMIs for the same are being paid by the petitioner. The loan was in the name of the petitioner's mother and the EMIs for the same has also been paid by the petitioner.

6. The petitioner's wife has alleged that the funds for purchasing the same had been remitted to the petitioner's family. According to the IO, she claims that a sum of ₹13.5 lakhs had been paid for the said purpose.

7. In the aforesaid context, on 30.01.2019, the petitioner had without prejudice to the rights and contentions, offered to pay a sum of ₹13.5 lakhs before the learned ASJ. However, the said offer was not accepted by the complainant.

8. In view of the above, this Court considers it apposite to allow this petition subject to the petitioner depositing an amount of ₹13.5 lakhs with the Registry of this Court, within a period of two weeks from today. The amount so deposited by the petitioner shall be kept by the Registrar General of this Court in a fixed deposit in his name and shall be subject to any further orders that may be passed by any court.

9. Subject to the petitioner depositing the aforesaid amount as directed, the concerned authorities are restrained from seizing the vehicle in question.
10. The petition is disposed of in the aforesaid terms.

OCTOBER 23, 2019
MK

VIBHU BAKHRU, J