

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

CRM-M-17298-2020 (O&M)
Date of Decision:-5.2.2021

Pawan Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harshit Joon, Advocate for
Mr. Amitabh Tewari, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by ASI Shakuntla.

Mr. Shashikant Gupta, Advocate for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.39 dated 3.6.2020 at Police Station Women Police Station, Narnaul, District Mahendergarh under Sections 323, 406, 498-A and 506 of Indian Penal Code.
2. The FIR was lodged at the instance of petitioner's wife namely Ekta wherein it has been alleged that her marriage with the petitioner Pawan Kumar was solemnized on 17.5.2019 and that her father had given sufficient dowry much

in excess of his status to her husband and his family by spending an amount of ₹20 lakhs but her husband and other members of his family were not happy with the same and started raising demands of more dowry and also used to give beatings to her. It is alleged that ultimately she was thrown out of her matrimonial home on 31.10.2019.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case on account of some misunderstandings between the petitioner and his wife which somehow could not be resolved. Learned counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has handed over the original documents to the complainant i.e. her passport, PAN Card and Income Tax Returns (ITRs) and has also joined investigation.
4. Opposing the petition, learned State counsel has submitted that since specific and categoric allegations have been levelled against the petitioner, no case for grant of bail is made out. Learned State counsel has, however, informed that pursuant to interim direction the petitioner has since joined investigation.
5. Learned counsel for the complainant has, informed that the passport and PAN Card have been received by the complainant in original. Learned counsel for the complainant has, however, submitted that the gold jewellery, which has been given in dowry, has not been recovered.
6. Having regard to the facts and circumstances of the case, which primarily indicate that it is a case arising out of some kind of matrimonial discord amongst the parties and while noticing that the petitioner has since joined investigation, his custodial interrogation is not warranted. The petition, as

such, is accepted and the interim directions issued by this Court vide order dated 8.7.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation 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.

5.2.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No