

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16684-2021
Date of Decision: 27.07.2022

VIKRANT TANK ... PETITIONER
V/S
STATE OF HARYANA AND OTHERS ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Dr. Payal Mehta, Advocate for the petitioner.

Mr. Zorawar Singh Chauhan, DAG Haryana.

* * *

VIVEK PURI, J. (ORAL)

On 20.04.2021, following order was passed:

“This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.25 dated 20.01.2019 under Sections 323, 34, 354, 406, 498-A, 506 IPC registered at Police Station Ambala Cantt.

Counsel for the petitioner would contend that the dispute arises out of a marriage that was solemnized between the petitioner herein and respondent No.3. It is also argued that every attempt has been made for the matter to be reconciled between the parties before the Mediation and Conciliation Centre of this Court, however, the same did not fructify. It is also submitted that one of the grounds for dismissal of the bail application is that there are certain dowry articles, which have not been recovered, which *per se* itself is not a ground for dismissal. It is also submitted that the petitioner herein is ready to return the remaining dowry articles as well as join investigation.

Notice of motion.

Ms. Deepshikha Chauhan, AAG, Haryana, who is present through the medium of video conferencing, accepts notice for the respondent-State.

Adjourned to 01.11.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called

upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

As per the office note, respondent No.3 is served but none has appeared on her behalf.

Learned counsel for the petitioner contends that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation and the recovery is also effected.

Learned State counsel, on instructions from ASI Jai Singh, has not assailed the aforesaid factual aspect of the case and further submitted that the custodial interrogation of the petitioner is not required. Moreover, the recovery of articles of *Istridhan* has been effected.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 20.04.2021 is made absolute.

The petition stands allowed.

27.07.2022

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No