

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 208

CRM-M-25172-2021

Date of decision : 23.05.2022

Vinod Kumar

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Neeraj Yadav, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

Mr.Bhisham Kumar, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.73 dated 10.04.2021 registered under Sections 498-A, 406, 506 and 34 IPC at Police Station Sector-6, Dharuhera, District Rewari.

On 02.07.2021 this Court had passed the following order: -

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.73 dated 10.04.2021 under Sections 498-A, 406, 506 and 34 of the IPC registered at Police Station Sector 6, Dharuhera, District Rewari.

Learned counsel contends that totally false allegations of mental and physical harassment have been levelled against the petitioner on account of alleged dowry demand. Learned counsel submits that the parties were married on 08.04.2017 and no complaint whatsoever with respect to the alleged mental and physical harassment was ever made by the complainant or her family, which lends credence to a fabricated case having been foisted upon the petitioner. It has been submitted that after the complainant left the matrimonial home, the petitioner had also instituted petition under Section 9 of the Hindu Marriage Act.

Learned counsel submits that the parties have a one and a half years old daughter and he is willing to explore the possibility of a reconciliation/amicable settlement with the complainant. Learned counsel for the petitioner has requested that the matter be referred to the Mediation Centre.

Mr. Bhishan Kumar, Advocate has put in appearance on behalf of the complainant-wife. He undertakes to file his power of attorney in the Registry of this Court. Learned counsel has also not opposed the request for referring the matter to Mediation Centre.

In the circumstances, matter is referred to Mediation and Conciliation Centre at Rewari. Parties are directed to appear before Mediation and Conciliation Centre, Rewari on 22.07.2021.

No coercive steps be taken till the next date of hearing.
Adjourned to 25.10.2021 awaiting report of Mediation and Conciliation Centre, Rewari.”

Mediation between the parties failed and therefore on 25.10.2021, this Court had passed the following order: -

“As per the report received from the Mediation and Conciliation Center, Rewari (Flag-'A'), the parties have failed to arrive at an amicable settlement.
Adjourned to 24.01.2022.
Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel submits that in pursuance to the afore quoted order of this Court dated 25.10.2021 the petitioner has voluntarily joined the investigation and is no longer required for the same.

In view of the statement made on behalf of the State as also because the FIR in question arises from a matrimonial dispute, the order of this Court dated 25.10.2021, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

23.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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