

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

203

CRM-M-26432-2022

Date of Decision: 14.03.2023

Abhishek Somani

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Subhash Aggarwal, Advocate for the petitioner

Ms. Dimple Jain, AAG, Haryana
(assisted by SI Virender Singh)

Mr. Neeraj Goel, Advocate for the complainant

JAGMOHAN BANSAL, J. (ORAL)

On 14.06.2022, the following order was passed:-

“Counsel inter alia submits that petitioner No.1 got married to the complainant on 15.07.2021. The pregnancy was aborted on 04.09.2021 having been detected on 26.08.2021. It is submitted that the FIR has now been lodged on 08.05.2022. It is submitted that there is a dispute as such on account of compatibility inter se the couple itself.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana accepts notice on behalf of respondent-State and Mr. Sanjay Vashisth, Advocate has filed Vakalatnama on behalf of the complainant. Both the counsels have opposed the grant of interim bail on account of the fact that the police had been approached on 24.01.2022 and there is a delay in lodging of the FIR. Counsel for the

petitioner submits that he is ready and willing to join investigation and cooperate with the same. No recovery as such is to be effected. It is further pointed out that he is a Software Engineer working with a multi national company at Hyderabad and efforts can be made to resolve the issue either way.

Accordingly, if the petitioner appears before the Investigating Officer, he be released on ad interim bail by the Investigating Officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down under Section 438(2) Cr.P.C. The petitioner shall come present thereafter in the Mediation Centre of the High Court on 13.07.2022 at 11.00 A.M. The complainant and other family members shall also be present in an effort to resolve the issue.

Adjourned to 13.09.2022.”

Report was received from Mediation Centre disclosing that attempts to settle the dispute have failed.

In compliance of order dated 12.10.2022, the petitioner has paid a sum of Rs,25,000/- to the complainant to enable her to apply for duplicate copies of her documents.

Learned counsel for the petitioner submits that dowry articles stand handed over to the complainant.

Learned State counsel, on instructions from SI Virender Singh, submits that petitioner has joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 14.06.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

14.03.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>