

**RAVI SHARMA V/S STATE OF PUNJAB**

Present: Mr. Hitesh Ghai, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

Mr. Jasjeet Singh, Advocate for the complainant.

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Learned counsel for the State on instructions from ASI Parminder Singh has pointed out that though the petitioner has joined investigation, however, he is not fully cooperating.

List on **28.02.2024**.

Meanwhile, the petitioner is directed to rejoin investigation and to cooperate with the Investigating Agency.

Interim order to continue.

15.12.2023  
Yogesh Sharma

**( ALKA SARIN )**  
**JUDGE**

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-40712-2023 (O&M)  
Date of decision : 15.12.2023

Manish Kumar Arun Jha @ Manish Kumar Jha ... Petitioner(s)

Versus

State of Haryana ... Respondent(s)

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. J.S. Gill, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG Haryana.

Mr. Ritesh Tomar, Advocate for the complainant.

**ALKA SARIN, J.** (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.121 dated 23.07.2023 under Sections 498-A, 323, 313, 406, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Women NIT, Faridabad, District Faridabad.

2. On 21.08.2023 the following order was passed :

*“The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.121 dated 23.07.2023 under Sections 498-A, 323, 313, 406, 506 and 34 of the Indian Penal Code, 1860 registered at*

*Police Station Women NIT, Faridabad, District Faridabad.*

*Learned counsel for the petitioner would contend that the petitioner left the matrimonial home on 25.12.2020 and thereafter a divorce petition was filed by the petitioner on 03.01.2023. When the notice of the divorce petition was received by the complainant, the present FIR was lodged on 23.07.2023. Learned counsel for the petitioner would further contend that the complainant underwent abortion on 22.12.2020 and the reason given for the same is early pregnancy i.e. cystic hygroma. It is further the contention that the consent form has been signed by the complainant as well as by the husband i.e. the petitioner herein. Learned counsel for the petitioner would further contend that the petitioner is willing to return all the dowry articles as well as to join the investigation.*

*Notice of motion.*

*Ms. Mahima Yashpal, DAG Haryana, who is present in Court, accepts notice on behalf of the respondent-State while Mr. Ritesh Tomar, Advocate puts in appearance on behalf of the complainant.*

*List on 17.11.2023.*

*Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.*

*The petitioner, to show his bonafides, is directed to deposit a demand draft of Rs.5,00,000/- with the Registrar General of this Court, which shall be invested in a FDR with some nationalized Bank.”*

3. As per the office report, pursuant to the order dated 21.08.2023 an amount of Rs.5,00,000/- stands deposited with the Registrar General of this Court which has been invested in a FDR. Today the parties are present in Court and there does not seem to be any chance of an amicable settlement between them.

4. Learned counsel for the petitioner would contend that pursuant to the order dated 21.08.2023 the petitioner has joined investigation and has fully cooperated.

5. Learned counsel for the State on instructions from ASI Sunita has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

6. In view of the above, the order dated 21.08.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973. The amount of Rs.5,00,000/- which has been invested in a FDR shall be maintained as such till the decision of the trial.

7. Disposed off accordingly. Pending applications, if any, also stand disposed off.

15.12.2023  
Yogesh Sharma

( ALKA SARIN )  
JUDGE

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO