

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

206

CRM-M No.1545 of 2023
Date of decision: 06.02.2024

Kapil

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Mehak Sawhney, Advocate,
for the petitioner.

Mr. Arjun Lakhanpal, Addl. AG, Haryana.

None for respondent No.2.

MANISHA BATRA, J.

1. The present petition under Section 438 of Code of Criminal Procedure has been filed by the petitioner seeking anticipatory bail in case bearing FIR No.403, dated 30.10.2022, registered under Sections 498-A, 406, 377, 323, 354-A and 506 read with Section 34 of IPC at Police Station Barauda, District Sonipat.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complaint filed by the complainant alleging therein that she was married with the petitioner on 29.05.2020. Her parents had given sufficient dowry articles. However, her in-laws were not satisfied with the same and shortly after the marriage, they started harassing her mentally as well as physically on

Neutral Citation No.2024:PHHC:016565

account of demand of dowry. They raised demand of motorcycle or cash. Her parents had given an amount of Rs.50,000/- to the petitioner to purchase a motorcycle. Sometime thereafter, demand was raised for giving money for purchasing a plot. She also alleged that the petitioner was of questionable character as he was having illicit relations with his sister-in-law. The complainant was ultimately turned out of her matrimonial house on 12.01.2022 and her entire ishtnidhan was kept by her in-laws which they refused to return. After registration of FIR, investigation proceedings have been initiated and which are going on.

3. It will be relevant to mention here that the petitioner was directed to join investigation vide order dated 12.01.2023 and as submitted by learned State counsel, he had joined the same on 16.03.2023.

4. Status report has been submitted by the respondent No.1 as per which, there are specific allegations against the petitioner and he does not deserve to be given benefit of pre-arrest bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel and have perused the record carefully.

6. The petitioner has joined the investigation. His custodial interrogation is no more required. Though respondent No.2-complainant had been duly represented by counsel previously, however, on the last date of hearing as well as today, there is no representation on her behalf.

7. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 12.01.2023

granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

06.02.2024
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No