

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

**CRM-M-14846 of 2013
Decided on: 24.12.2014**

Pardeep

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present :- Mr.A.P.S. Deol, Sr. Advocate with
Mr. Daldeep Singh, Advocate
for the petitioner.

Mr. M.S. Sidhu, Addl. AG., Haryana.

Mr. N.S. Shekhawat, Advocate.

M.M.S. BEDI, J (ORAL)

Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Jyotsna alleging that the petitioner and his family members had maltreated her on account of demand of dowry and have misappropriated her dowry articles. Amongst the articles misappropriated jewellery and important certificates and medals granted to her in various boxing championships in India and abroad have been withheld.

Counsel for the petitioners have vehemently contended that in the original list of dowry articles, there was no mention of certificates and gold medals but it is only with an objective to defeat the rights of the petitioner for pre-arrest bail, that the false allegations

have been levelled that her certificates and medals have been misappropriated and withheld by the petitioner.

Counsel for the complainant has intervened to oppose the petition for pre-arrest bail alleging that the petitioner and his family members have been harassing the complainant by filing frivolous applications before the employers of the complainant asking for irrelevant information. He has further argued that the complainant is interested only in the medals and certificates and that she has got no objection to the grant of pre-arrest bail in case the said certificates and medals are handed over to her.

An opportunity was granted to the petitioner to handover any medal or certificate. The petitioner who was present in the Court stated that there is no reason for him to retain the said certificates or gold medals. Claim of the petitioner is that the medals and certificates have already been taken away by the complainant.

The parties had been given an opportunity to amicably resolve the dispute by referring the matter to Mediation and Conciliation Centre of Punjab and Haryana High Court. The matter has been received back with no hope of reconciliation.

I have heard learned counsel for the petitioner, counsel for the complainant, State counsel and carefully gone through the entire record. The complainant had filed an application on 07.10.2013 indicating the list of certificates and the articles which were to be recovered during investigation. There are serious allegations against the petitioner and his family members of having pressurized the complainant to bring sum of Rs.10 lac for starting

Physiotherapy Hospital for him. The extent of torture and humiliation in the present case appears to have gone to such an extent that a wife was compelled to leave the matrimonial home. The Investigating Officer has filed an affidavit indicating that no doubt the petitioner has joined investigation and recoveries of gold articles have been effected but one gold coin, a silver coconut cover and other domestic gadgets besides medals won by complainant are still in possession of the petitioner which, during the course of investigation are required to be recovered.

In view of petitioner being main accused and there being serious allegations against him, I do not find any extra-ordinary exceptional circumstances to grant the concession of pre-arrest bail to the petitioner.

Petition is dismissed at this stage without prejudice to the rights of the petitioner to approach this Court in case the matter is amicably resolved.

24.12.2014*ps-I***(M.M.S.BEDI)
JUDGE**