

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-11374 of 2014

Date of Decision: September 15, 2015

Harjinder Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vijay Lath, Advocate
for the petitioner.

Ms.Priyanka Sadar, Asstt. Advocate General, Punjab
for the respondent-State.

Mr.J.S.Dadwal, Advocate
for respondent No.2-complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.02 dated 01.01.2014
under Sections 406 and 498-A IPC, registered at Police Station
Sultanpur, District Kapurthala.

Notice of motion was issued and learned State counsel as
well as learned counsel for respondent No.2 appeared and contested
the petition.

I have heard learned counsel for the parties as well as
learned State counsel and have gone through the record.

The FIR in the present case has been registered at the

instance of complainant Sumanjeet Preeti-respondent No.2. The present petitioner being husband of the complainant is the main accused. The main allegations are levelled against the present petitioner. As argued, the dowry articles have not been recovered from the petitioner. The dowry articles are supposed to be in the possession of present petitioner. Despite joining the investigation, the petitioner has not returned the dowry articles.

Learned counsel for the petitioner argued that in the petition under Section 13 of the Hindu Marriage Act, it is mentioned that dowry articles have already been given to Sumanjeet Preeti but at the same time, learned State counsel argued that as per the investigation of this case, divorce petition etc. has been manipulated by the present petitioner and actually the dowry articles have not been returned.

Keeping in view the fact that dowry articles are still to be recovered, I find that custodial interrogation of the petitioner is required. Otherwise also, the main allegations are against him.

In view of the above discussion, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

September 15, 2015
Vgulati

(INDERJIT SINGH)
JUDGE