

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

CRM-M No.15177 of 2015 (O&M)

Date of Decision: 16.11.2015

Manu Bhardwaj

..... Petitioner

Vs.

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Abhinav Gupta, Advocate
along with the petitioner/husband in person.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for respondent No.1/State along with ASI Narender Singh.

Mr. R.S.Rana, Advocate
along with respondent No.2/wife in person.

JASWANT SINGH, J. (Oral)

The prayer is for grant of anticipatory bail on behalf of the husband in case FIR No.65 dated 17.04.2015, under Sections 498-A and 406 of the Indian Penal Code, registered with Police Station Gobindgarh Mandi, District Fatehgarh Sahib (**Annexure P-1**).

The petitioner/husband and the complainant/wife were married on 03.07.2003 and out of the wedlock, a son was born on 12.08.2004 and a daughter on 23.09.2010. The boy unfortunately is deaf and dumb.

As per the allegations, *inter alia*, the complainant/wife was harassed and tortured by the petitioner/accused along with his family members for demands of dowry in the shape of Honda City Car and a sum of Rs.20 Lacs. She was turned

out of the matrimonial house on 30.05.2014 along with her two minor children. They also given beatings to the complainant.

To secure an amicable settlement, parties were also summoned. After interaction with them, an amicable settlement could not be arrived at.

Learned Counsel for the petitioner submits that there are no specific time and date of the demands of dowry. He further contends that all the dowry articles have been returned as can be inferred vide documents Annexures P-5 and P-6.

Learned State Counsel, on instructions from ASI Narender Singh, submits that the allegations are only against the husband and he has not joined the investigation and the dowry articles are yet to be recovered.

Learned Counsel for the complainant has also been heard.

After hearing learned Counsel for the parties, keeping in view the nature and gravity of the offence, no case for grant of anticipatory bail is made out. Particularly in view of the specific allegations against the husband, the only accused, it would not be in the interest of justice to extend extra-ordinary relief of pre-arrest bail. The arguments of lack of particulars regarding time and date of demands for dowry are not enough and significant to doubt the allegations. The parties have lived together for a period of around ten years and, therefore, it may not be a case of false implication as suggested. However, this is a matter of investigation. Such a concession of pre-arrest bail is not warranted.

Accordingly, the present petition stands dismissed.

November 16, 2015

Gagan

(JASWANT SINGH)

JUDGE