

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

101+202

**CRM-M-19583 of 2015 (O&M)
Date of decision: 19.06.2015**

Amarjit Singh and another

... Petitioners

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioners.

Mr. Ranbir Singh Pathania, DAG, Punjab.

K.Kannan, J.

The petition is for grant of pre-arrest bail to the petitioners in case FIR No.48 dated 22.04.2015, under Sections 498A, 406 IPC registered at Police Station Civil Lines, Batala, District Gurdaspur.

The anticipatory bail has been sought by the parents-in-law of the complainant with regard to exchange of dowry articles. The communications between daughter-in-law/complainant and the husband who is living in foreign country have also been placed on record which reveals that they have always been pleasant and have never been any bitterness and there was never demand of dowry.

On notice issued by the Court to the State, learned State counsel, on instructions from ASI Sukhjinder Singh, submits that on investigation, it is revealed that there are still many valuable articles in the custody of the petitioners and many valuables have been given.

According to the petitioners, the valuables as well as the documents have been returned and there are no other articles in custody.

It would seem that the dispute is essentially some financial issue and sorting it out right bring about smoothness in the relations. I do not believe that any custodial interrogation is required and to test the bona fides, the petitioners will deposit an amount of Rs.2.5 lacs in the Court of Batala and the amount may also be permitted to be withdrawn by the complainant without prejudice to the manner of delaying with the money in the event of trial. Otherwise, it shall be taken as received in part satisfaction of the claim of the complainant. If the amount is not deposited, the complainant may approach the Court for appropriate orders.

In the event of arrest, the petitioners shall be released on bail subject to the conditions laid down under Section 438(2) Cr.P.C. as under:

- i) that the petitioners shall make themselves available for interrogation by a police office as and when required;
- ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioners shall not leave India without the previous permission of this Court.

The petitioners will be released on furnishing bail bonds with two sureties to the satisfaction to the CJM/Duty Magistrate at Batala, District Gurdaspur.

Petition stands disposed of.

(K. KANNAN)
JUDGE

June 19, 2015
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