

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

Criminal Misc.No.M-19622 of 2015

Date of Decision: August 14, 2015

Anand Singh & Ors.

...Petitioners

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Ms.Satpreet Grewal Kapila, Advocate,
for the petitioners.

Mr.K.S.Pannu, DAG, Punjab.

Mr.Narinder Singh Lucky, Advocate,
for the informant.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioners, Anand Singh (father-in-law) and Ajit Kaur (mother-in-law) of informant, Geeta Rani, for the offences punishable under Sections 406 and 498-A, IPC, in a case arising out of FIR No.6 dated 03.02.2015, registered at Police Station, Women Cell, District Jalandhar.

Learned counsel for the petitioners at the very outset submits that the petitioners have joined the investigation and their custodial interrogation is not required; the informant was afforded an accommodation at the first floor of the house but one of her relatives, who is serving in Punjab police, was interfering in the peaceful possession of the petitioners; the husband of the

informant is in Germany and paid ₹ 10,000/- (Rupees ten thousand only) once or twice to the informant as maintenance and that petitioner No.1 is old and infirm person suffering from various ailments.

On the other hand, learned counsel for the State assisted by Mr.Narinder Singh Lucky, learned counsel for the informant submits that there are specific allegations against the petitioners with regard to demand of dowry and physical/mental harassment to the informant; the informant was afforded accommodation on the first floor of the house of the petitioners but that was simply an eye-wash; the petitioners filed a civil suit with a prayer to restrain the informant to interfere in the peaceful life of Ajit Kaur (petitioner No.2); it was further prayed in the civil suit that the illegal possession of the house at the first floor of petitioner No.2 be got vacated from the informant and that the petitioners in connivance with their son had meted out the informant with cruelty and thereafter, son of the petitioners went to Germany leaving the informant in India. It has also been pointed out by learned counsel for the State that the informant had given birth to a girl child on 26.09.2014 and now, the informant and the newly born baby have no means to maintain themselves.

I have heard learned counsel for the parties and with their able assistance gone through the material available on record.

The present FIR was registered on the written complaint moved by Geeta Rani. Specific allegations of maltreatment,

harassment, torture and demand of dowry are levelled against the petitioners. Though learned counsel for the petitioners has argued that the first floor of the house belonging to petitioner No.2 was given to the informant for her residence but civil suit filed by her (petitioner No.2) would clearly show that allowing the informant to live at the first floor of the house of petitioner No.2 was simply an excuse to save themselves (petitioners) from criminal case. The husband, who has not yet been arrested, has run away to Germany.

Keeping in view the totality of the facts and circumstances of the case, no ground for grant of anticipatory bail to the petitioners is made out.

Dismissed.

Interim directions issued by this Court vide order dated 11.06.2015 are hereby vacated.

August 14, 2015
seema

(Naresh Kumar Sanghi)
Judge