

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

**Criminal Misc.No.M-24364 of 2014
Date of Decision: January 22, 2015**

Manmohan Singh

...Petitioner

Versus

The State of Punjab & Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Rajbir Singh, Advocate,
for the petitioner.

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

Mr.Raman Mohinder, Advocate,
for respondent No.2.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner, Manmohan Singh, who has been booked for having committed the offence punishable under Sections 406 and 498-A, IPC, in a case arising out of FIR No.128, dated 17.06.2014, registered at Police Station, Sadar Dhuri, District Sangrur.

Learned counsel contends that initially the FIR was registered against the petitioner (husband), father-in-law, sister-in-law (*nanad*), the husband of sister-in-law (*nandoia*) and one more person, Gaurav, who was let off in the pre FIR

inquiry; the petitioner applied for visa to Germany, Australia and England; the complainant/respondent No.2 had got the study visa while the petitioner was issued tourist visa for France, therefore, he could not work there while the complainant/respondent No.2 started working there; the petitioner met out all the expenses for going to France; after some time they came together to India and the complainant/respondent No.2 could not reside with the petitioner on account of her incompatible behaviour; during pendency of the pre-arrest application before the Court of Session, the petitioner was granted ad-interim bail and he joined the investigation and co-operated with the Investigating Agency. He further submits that even during the course of pendency of this petition before this Court, the petitioner was granted ad-interim protection and he joined the investigation and co-operated with the Investigating Agency. He further submits that the police is not proceeding in accordance with the directions issued by Hon'ble the Supreme Court in the matter of **Arnesh Kumar vs. State of Bihar & Anr, 2014(3) RCR (Criminal) 527.**

On the other hand, learned counsel for the State submits that after coming of the couple from France, the matter was thoroughly inquired by the Deputy Superintendent of

Police, Dhuri, and it was found that the petitioner along with his co-accused not only demanded Rs.5,00,000/- from the father of the complainant but also gave beatings to her. The petitioner had also retained gold chain, ring and bracelet handed over to him at the time of marriage. He further submits that specific allegations are there against the petitioner and the Investigating Agency is proceeding fairly and this can be judged from the fact that one Gaurav, who was named in the complaint, was declared innocent during inquiry. He further submits that the police has already inquired into the matter and it has come on record that the petitioner has committed the non bailable offence and as such, it is within the domain of the police to arrest the petitioner and proceed further in accordance with law. He further submits that the police is not going to violate any of the conditions as mentioned in **Arnesh Kumar's** case (supra).

Learned counsel for the complainant has also adopted the submissions made by learned counsel for the State.

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

There is no dispute that father-in-law of the complainant was granted anticipatory bail while sister-in-law and brother-in-law (*nanad and nanadoi*) were arrested and

granted bail but during inquiry by the Deputy Superintendent of Police, it has emerged on record that the petitioner along with his co-accused not only demanded Rs.5,00,000/- from father of the complainant but also gave beating to the complainant. The allegations against the petitioner are prima facie substantiated on the police file. Learned counsel for the State has very fairly stated at bar that the Investigating Agency is not going to violate any of the conditions as mentioned in **Arnesh Kumar's** case (supra).

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

Dismissed.

Interim directions issued by this Court vide order dated 22.07.2014 are hereby vacated.

January 22, 2015
seema

(Naresh Kumar Sanghi)
Judge