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

CRM-M-24786 of 2014

Date of Decision: January 16, 2015

Piyush Sharma

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Ms. G.K. Mann, Advocate
for the petitioner.

Mr. Deep Singh, AAG Punjab.

SABINA, J.

Petitioner has filed this second petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.58 dated 05.06.2014, under Sections 406, 498-A of the Indian Penal Code, 1860, registered at Police Station Women Cell, District Ludhiana.

While issuing notice of motion, following order was passed by this Court on 24.07.2014:-

“Learned counsel for the petitioner submits that earlier to the lodging of the FIR, the complainant had submitted a complaint against the petitioner but the matter was amicably settled. As per the terms of the settlement, the petitioner and the complainant started living together in a rented accommodation. However, the complainant had always been insisting upon the petitioner not to stay in the said accommodation but to shift to Ludhiana, where her parents resided. It is further submitted that there are temperamental

differences between the petitioner and the complainant. False and frivolous allegations have been levelled by the complainant against the petitioner and his family members of harassing and maltreating the complainant on account of dowry.

Notice of motion to Advocate General, Punjab and respondent No.2 for 27.10.2014.

In the meantime, the petitioner shall appear before the Investigating Officer on 31.7.2014 at 11.00 a.m. and join the investigation. In the event of his arrest, he be admitted to interim bail by the Investigating Officer/Arresting Officer to his satisfaction. He shall, however, abide by all the conditions as envisaged by Section 438(2) Cr.P.C.”

Case was sent to Mediation and Conciliation Centre, but it could not be amicably settled between the parties.

Learned State counsel who is assisted by Assistant Sub Inspector Satnam Singh has submitted that, although, petitioner has joined investigation but recovery of the Gold and other articles is yet to be effected. Petitioner has not cooperated with the investigating agency in this regard and his custodial interrogation is necessary.

Although, petitioner had joined investigation but has failed to cooperate with the investigating agency. In these circumstances, no ground for grant of anticipatory bail to the petitioner, is made out.

Dismissed.

January 16, 2015

m.singh

**(SABINA)
JUDGE**