

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

CRM-M-24949-2014

Date of decision: 5.5.2015

Pawan Kumar Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Dinesh Sharma, Advocate for the petitioner

Ms.Simsi Dhir Malhotra, DAG, Punjab

Mr.Ajaypal Singh, Advocate for the complainant

SNEH PRASHAR, J.

The present petition under Section 438 of the of the Code of Criminal Procedure has been filed for grant of anticipatory bail to the petitioner in case First Information Report No.102 dated 3.5.2014 registered under Sections 406 & 498-A of the Indian Penal Code at Police Station City Khanna, Police District Khanna.

The submissions made by Mr.Dinesh Kumar Sharma, Advocate representing the petitioner; Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab and Mr.Ajaypal Singh, Advocate appearing for the complainant have been heard.

At the time of arguments, learned counsel for the petitioner has produced copies of application moved to Senior Superintendent of

Police, Khanna; acknowledgment of the application sent by post; application for anticipatory bail of the parents of the petitioner; application to Commissioner of Police, Ludhiana and application to Illaqa Magistrate, City Khanna. The said documents are taken on record subject to all just exceptions.

It was argued on behalf of the petitioner that he in compliance of order dated 25.7.2014, has joined the investigation and nothing remains to be recovered from him. It was further submitted that during investigation, the petitioner disclosed to the Investigating Officer that the dowry articles are lying in a locked room at his house. He made several requests to the police authorities and gave an application to the Area Magistrate to hand over the dowry articles to the complainant but nothing was done. Submitting that the parents of the petitioner have already been enlarged on bail and that the allegations levelled in the First Information Report are vague and general in nature and nothing is to be recovered from the petitioner, learned counsel prayed that he be given the concession of anticipatory bail be extended to the petitioner.

The prayer of the petitioner was opposed by the learned State counsel as well as learned counsel appearing for the complainant. They emphasized that the dowry articles are yet to be recovered from the petitioner.

Apparently, there are specific allegations of maltreatment and harassment against the petitioner. Earlier also the complainant had given an application to the police, but as the matter was compromised, she withdrew the complaint. Despite that, as per the allegations the

petitioner and his parents did not mend their behaviour and carried on to ill-treat the complainant. When she was in family way, the petitioner and his family members locked her in a room and on information the police reached and got the room opened and admitted her in Raksha Mittal Hospital, Khanna, where she gave the birth to a girl child.

The matter was referred to the Mediation and Conciliation Centre of this Court, but despite efforts no settlement could take place between the parties.

Considering the gravity of the allegations and the fact that the dowry articles are yet to be recovered from the petitioner, in the considered opinion of this Court, no case for grant of anticipatory bail to the petitioner is made out and the present petition is dismissed.

5.5.2015
gsv

(SNEH PRASHAR)
JUDGE