

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-25387 of 2015

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Date of decision:9.9.2015

Japinder Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. H.K. Brinda, Advocate for the petitioner.

Mr. B.S. Bhullar, Assistant Advocate General, Punjab
for the respondent-State.

Mrs. Gaganpreet Kaur-complainant in person.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.07 dated 18.5.2015 registered
for the offences under Sections 498-A and 406 IPC at Police Station Women
Jagraon, District Ludhiana.

Notice of motion has been issued in this case.

Mr. B.S. Bhullar, learned Assistant Advocate General, Punjab
has put in appearance on behalf of the respondent-State and Mrs.
Gaganpreet Kaur-complainant appeared in person and contested this
petition.

I have heard learned counsel for the petitioner, learned
Assistant Advocate General, Punjab appearing for the respondent-State and

Mrs. Gaganpreet Kaur-complainant, who appeared in person and have gone through the record.

From the record, I find that FIR in the present case has been got registered by complainant-Gaganpreet Kaur against the present petitioner on the allegations of misappropriation of dowry articles as well as the harassment etc.

At the time of arguments, learned counsel for the petitioner argued that an amount of ₹7 Lacs by cash had been paid for starting the Computer Centre for the complainant and produced statement of accounts of the Bank of Baroda. He also argued that the petitioner is paying the fees of the minor etc. regarding which he has placed on record some receipts. Learned counsel for the petitioner further argued that the land was sold to send the complainant to foreign country (Australia) as the boy was also there and regarding that a copy of agreement to sell is placed on record. After the marriage on 19.8.2008, the petitioner had gone to Australia on 13.12.2008. The allegations regarding maltreatment etc. were levelled when the parties were in Australia. The petitioner has already joined the investigation. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 17.8.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the

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petitioner shall join the investigation as and when called upon to do so
and shall abide by the conditions of Section 438 (2) Cr.P.C.

September 9, 2015.

(Inderjit Singh)
Judge

hsp