

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25879-2015

Date of Decision: September 22, 2015

Sharat Shankar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Vaibhav Sehgal, Advocate,
for the petitioner.

Mr. P.S. Ghuman, Addl. AG, Punjab,
for respondent No. 1.

Mr. Atul Goyal, Advocate,
for respondent No. 2/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 petitioner, Sharat Shankar, son of Shankra Pillai, resident of 1/856, Vinay Khand, Gomti Nagar, Lucknow, who has been booked for having committed the offences punishable under Sections 406 and 498-A, IPC, in a case arising out of FIR No. 64, dated 16.6.2015, registered at Police Station, Women, Ludhiana.

Learned counsel submits that due to illness of his mother, the petitioner could not deposit ₹20,000/- (Rupees

twenty thousand only), as ordered by this Court vide order dated 6.8.2015. The application moved by the petitioner for extension of time, was dismissed vide order dated 17.9.2015. He further submits that all the jewellery articles have already been recovered, therefore, the concession of anticipatory bail be extended to the petitioner.

Learned counsel for the State, assisted by Mr. Atul Goyal, learned counsel for respondent No. 2/informant, has vehemently opposed grant of bail to the petitioner on the premise that he (petitioner) being the husband, is the main accused; specific allegations of harassment, torture and maltreatment of respondent No. 2/informant have been levelled against the petitioner; and that the severity of the allegations levelled against the petitioner would be sufficient grounds not to grant anticipatory bail to the petitioner.

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

There are specific allegations of torture, maltreatment and harassment on account of demand of dowry by the petitioner from respondent No. 2/informant. The petitioner,

being the husband, is the main accused. While issuing notice on 6.8.2015, the Coordinate Bench had issued direction to the petitioner to deposit ₹20,000/- (Rupees twenty thousand only) within a week of passing of the said order, to be paid to respondent No.2/informant-wife as litigation expenses, but the petitioner has failed to comply with the said order.

Keeping in view the severity of the allegations and non-compliance of the order dated 6.8.2015, passed by this Court, the petitioner is not entitled to the concession of anticipatory bail.

Dismissed.

The interim directions issued by this Court vide order dated 6.8.2015, are hereby withdrawn.

September 22, 2015
Pkapoor

(NARESH KUMAR SANGHI)
JUDGE