

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

CRM-M-25926-2015

Date of Decision: December 7, 2015

Lakhwinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

- 1. *Whether Reporters of local papers may be allowed to see the judgment ?***
- 2. *To be referred to the Reporters or not ?***
- 3. *Whether the judgment should be reported in the Digest?***

Present: Mr.A.S.Manaise, Advocate
for the petitioner.

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

Mr.G.S.Ghuman, Advocate
for respondent No.2.

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, Lakhwinder
Singh, 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.51, dated 04.07.2015, registered at Police Station,
Sadar Batala, Police District Batala, District Gurdaspur.

Learned counsel contends that the present FIR has been lodged primarily on the ground that after solemnization of his marriage with the informant, Swaroop Kaur, the petitioner left India and went to Dubai and, as such, he was not cohabiting with her (informant-Swaroop Kaur). He further submits that elder sister of the informant is married with the elder brother of the petitioner and if the petitioner had to demand the dowry than that could be done at the time of marriage of elder sister of the informant. He further submits that the petitioner had never demanded the dowry from the informant side.

On the other hand, learned counsel for the State, assisted by Mr.G.S.Ghuman, Advocate, learned counsel for respondent No.2/informant, have submitted that there are specific allegations that at the time of marriage, the petitioner along with his family members had demanded the dowry articles, which were supplied by the father of the informant. They further submit that after coming back from Dubai in the year 2015, the petitioner went to the house of the informant and demanded the dowry. He further submits that the dowry articles/*Istridhan* of the informant was misappropriated by the petitioner.

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

record.

Perusal of the FIR would spell out that there are clear cut allegations of demand of dowry and harassment of the informant on that count. Even otherwise after marriage if the husband leaves his pregnant wife and does not meet her for 3-4 years that by itself tantamount to cruelty.

In view of the totality of the facts and circumstances of the case, this Court is of the considered opinion that custodial interrogation of the petitioner would facilitate the investigating agency to unearth the real facts.

Dismissed.

Interim directions issued vide order dated 20.08.2015 are hereby vacated.

December 7, 2015
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(NARESH KUMAR SANGHI)
JUDGE