

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

CRM-M-27484 of 2015

Date of Decision: September 15, 2015

Gurcharan Singh

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Mohit Grag, Advocate
for the petitioner.

Mr. A.S. Virk, Advocate
for U.T. Chandigarh.

FATEH DEEP SINGH, J.

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.319 dated 25.07.2015 under Sections 406,498-A,420 IPC registered at Police Station Sector-39 Chandigarh.

The allegations against the petitioner-Gurcharan Singh in this anticipatory bail application are that as a consequence of his marriage on 17.11.2000 with complainant Sanjeet Kaur a matrimonial dispute arose between the parties leading to the registration of the present case in which there are allegations that the petitioner-husband usurped the *Istri dhan* and has tortured the complainant-wife.

The contentions of the learned counsel for the petitioner that the very applicability of offence under Section 406

IPC is a debatable issue after more than 15 years of marriage and which could not be controverted on behalf of the State together with the fact that nothing is to be recovered from the petitioner, the present petition seeking anticipatory bail is allowed. In the event of arrest of the petitioner he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

September 15, 2015
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