

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

(205)

CRM-M-29203-2015

Decided on: November 20, 2015.

Nishan Singh

.... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. A.P.S. Sandhu, Advocate, for the petitioner.

Mr. Gazi Mohammad, DAG, Punjab.

Mr. Vipin Mahajan, Advocate, for the complainant.

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of complainant Jobanpreet Kaur alleging that she was married to the petitioner on 21.01.2007. Two children have born out of the marriage. The allegations against the petitioner is that the petitioner in connivance with his family members had maltreated the complainant for want of dowry and made an attempt to kill her twice by giving electric shocks and pouring kerosene oil and misappropriated the dowry articles besides throwing her out of the matrimonial home.

An attempt was made to amicably resolve the dispute by referring the parties to Mediation Centre. On last date of hearing an attempt was made to amicably resolve the matter but the petitioner appears to be adamant not to resume co-habitation claiming that he has been harassed much by the complainant.

Complainant Jobanpreet Kaur present in the Court has expressed her desire to resume co-habitation despite the fact that she has been maltreated, for sake of the minor children. At one stage, an attempt was made to find out if the parties could amicably part company subject to safeguarding the rights of the minor children. The petitioner has filed a divorce petition also. There does not appear to be any chances of reconciliation. There are serious allegation against the petitioner of having maltreated the complainant compelling her to leave the matrimonial home which in ordinary course would be the last resort by the married wife with minor children. The objective under Section 498-A IPC would be defeated in the circumstance of the case, in case, the petitioner is granted concession of pre-arrest bail in peculiar circumstances of this case.

No ground is made out to grant pre-arrest bail to the petitioner.

Dismissed.

Interim order stands vacated.

(M.M.S. BEDI)
JUDGE

November 20, 2015
harsha