

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

CRM-M-31697-2015 (O&M)

Date of Decision: September 17, 2015

Amrinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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.Veneet Sharma, Advocate
for the petitioner.

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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, Amrinder Singh (husband of informant), 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.74, dated 24.07.2015, registered at Police Station, City Batala, Police District Batala, Revenue District Gurdaspur.

Learned counsel contends that the allegations levelled against the petitioner are general in nature; the

petitioner being a father of three year old child is unlikely to misbehave with his wife; the wife had carried away gold ornaments while leaving the house of the petitioner in his absence; no recovery is to be effected from the petitioner; the petitioner aided the informant -wife to complete her further education and for that purpose he also purchased a two-wheeler for her. He further submits that in view of the findings recorded by Hon'ble the Supreme Court in the matter of **Arnesh Kumar vs State of Bihar and anr**, 2014(3) R.C.R (Criminal) 527, the police cannot arrest the accused of dowry related offence, indiscriminately.

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

While lodging the complaint, the informant -wife alleged that at the time of her marriage with the petitioner, her parents had given adequate articles as dowry despite that the petitioner and his parents kept on torturing her (informant-wife). Even the petitioner and his family members attempted to kill her. The informant was also intimidated that if she disclosed her miseries to her parents then she would be finished. Due to fear she kept mum but after getting an opportunity she narrated her woeful tale to her parents on telephone. The parents of the

informant rushed to the house of the petitioner and observing her pity state, they arranged the treatment for her. The matter was enquired into at the directions of the Senior Superintendent of Police, Batala, and finding the truth in the allegations, FIR in hand was registered. The petitioner is the husband and the main accused. His custodial interrogation would facilitate the Investigating Agency to bring on record the true facts.

No ground to grant anticipatory bail to the petitioner is made out.

Dismissed.

September 17, 2015
meenu

(NARESH KUMAR SANGHI)
JUDGE