

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-32787-2015 (O&M)

Date of decision: 29.10.2015

Rakesh Kumar Gupta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.K. Saini, Advocate for the petitioner.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 406, 498-A, 420 read with section 34 IPC at Police Station Kahnwan, District Pathankot, vide FIR No.62 dated 14.07.2012.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. He submits that petitioner is NRI settled permanently in United Kingdom and complainant is married to his elder brother namely, Arun Kumar Gupta. There is not even an iota of allegations against the petitioner except that his name figured in the FIR.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

FIR was lodged on the complaint made by Promila Devi Gupta. Allegations against the petitioner are that he alongwith his

brothers Arun Kumar Gupta and Rajesh Kumar Gupta harassed the complainant and also gave her beatings on account of dowry. Her husband went back to England with her jewelry which was given by her parents at the time of marriage, her passport, I-card, air-ticket and other documents, after leaving her in India in her absence.

Keeping in view the allegations against the petitioner, I am of the considered view that he is not entitled to concession of pre-arrest bail. After grant of interim anticipatory bail by Sessions Judge, Pathankot, petitioner did not join investigation and he has already been declared a proclaimed offender and is still living outside the country. So, in view of conduct of the petitioner, his custodial interrogation may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

29.10.2015
'Rajpal'