

CRM-M-34105-2015 (O&M)

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

**CRM-M-34105-2015 (O&M).
Decided on: December 14, 2015.**

Dharmesh Kumar

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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

**PRESENT Mr.Vikas Kumar, Advocate,
for the petitioner.**

Mr.Gazi Mohd. DAG. Punjab.

**Mr.Shiv Kumar, Advocate,
for respondent No.2.**

M.M.S. BEDI, J.

Petitioner is husband of complainant Rachna Sharma. As per the allegations in the FIR the petitioner had treated the complainant with cruelty on account of demand of dowry. The complainant was married to the petitioner on 26.1.2015. The petitioner and other family members demanded a sum of Rs.8 lacs. The complainant was thrown out of the matrimonial home and her dowry articles have been misappropriated. Father-in-law of the complainant also allegedly had an evil eye on her.

The petitioner and the complainant were given a fair opportunity to amicably resolve the dispute but mediation proceedings having failed, the petition was taken up for disposal by

CRM-M-34105-2015 (O&M)

this Court on merits.

The application of the petitioner for pre-arrest bail has been dismissed by the Sessions Court, inter alia, on the ground that recovery of certain dowry articles is yet to be effected.

I have gone through the allegations in the FIR. Though the grievance of the complainant is expressed in context to the large number of small instances but the cumulative effect of the allegations is that she has not been permitted to join the matrimonial home. In case petitioner-husband is granted the concession of pre-arrest bail, it would defeat the very right of Section 498-A IPC.

Finding no extra ordinary exceptional circumstances existing to grant the concession of pre-arrest bail to the petitioner, the present petition is dismissed.

December 14, 2015.
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(M.M.S. BEDI)
JUDGE