

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-36486 of 2014

Date of Decision: January 9, 2015

Vijay Kumar

.....Petitioner

Vs.

State of Punjab

.....Respondent

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

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Present:- Mr.V.K. Thakur, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

Mr. Rahul Bhargav, Advocate.

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

Petitioner is husband of complainant Ritu who was married to the petitioner on December 2, 2010. There are serious allegations against the petitioner of having treated the complainant with cruelty by giving her beatings on different occasions and maligning and threatening her. Sum of Rs.4 lacs was allegedly demanded on birth of the girl child for getting a job for the accused husband. The complainant was turned out of the matrimonial

home on January 24, 2013 with a threat that petitioner would remarry a rich girl to get rid of her.

Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case and that he has been and is still ready to resume cohabitation. He has stated that after lodging of the FIR, the matter had been compromised but again the complainant has expressed her desire not to join the company of the petitioner. Counsel for the petitioner submits that the complainant desired a separate accommodation which was actually provided to her but still she was not satisfied and with an intention to harass the petitioner lodged the FIR.

I have considered the facts and circumstances of this case and I am of the opinion that unless and until compelled by the circumstances, no lady would leave the matrimonial home. The mere act of the complainant not being permitted to reside with the petitioner on account of the fear created in her mind is sufficient ground of violence and cruelty qua the complainant. No ground is made out for grant of pre-arrest bail to the petitioner.

Dismissed without prejudice to the rights of the petitioner to seek concession of regular bail by surrendering before the Illaqa Magistrate or investigating officer or approach this Court again in case the matter at any subsequent stage is compromised.

January 9 , 2015
sanjay

(M.M.S.BEDI)
JUDGE