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

CRM-M-7705 of 2015

Date of decision: August 17, 2015

Sunil

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. R.D. Sharma, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.357 dated 06.12.2014, under Section 498-A of Indian Penal Code, 1860, registered at Police Station Jandiala Guru, Tehsil and District Amritsar.

While issuing notice of motion, following order was passed by this Court on 11.03.2015:-

“Contends that the dispute has arisen out of a marital discord and the petitioner is also willing to explore the possibility of settlement.

Notice of motion for 27.4.2015.

In the meantime, the arrest of the petitioner shall remain stayed subject to the following conditions :-

i) He will make himself available for investigation as and when required to do so.

ii) He will not leave the country without the prior permission of the Court.

iii) He will not directly or indirectly make any

inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police official.”

The case was sent to Mediation and Conciliation Centre on 27.04.2015. However, no settlement could be arrived between the parties.

Prosecution story in brief is that complainant got married to the petitioner on 13.10.2010. Parties were blessed with a son out of the said wedlock. At the time of marriage of the parties, gold ornaments and various other household articles were given by the parents of the complainant to the petitioner and his family members. However, complainant was thrown out of the matrimonial home after giving beatings to her.

Learned State counsel on instructions from Sub Inspector Gurmail Singh and counsel for the complainant has submitted that, although, petitioner has joined investigation, but recovery is yet to be effected.

Since in the present case, recovery is yet to be effected from the petitioner, no ground for grant of anticipatory bail to the petitioner, is made out.

Dismissed.

**(SABINA)
JUDGE**

August 17, 2015
mahavir