

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

Crl. Misc. No. M-3386 of 2017

Date of decision :- 22.02.2017

Deepak Kumar

....Petitioner

versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner

RITU BAHRI, J. (Oral)

Petitioner is seeking grant of anticipatory bail in F.I.R No. 62 dated 19.05.2016 under Sections 406/498-A/494/120-B IPC, registered at P.S Dinanagar, District Gurdaspur.

A bare perusal of impugned order dated 01.11.2016 passed by the Court below shows that the petitioner has been declined anticipatory bail as there are serious allegations against the petitioner of maltreatment and harassment by him and his family members for dowry. Further the petitioner has solemnized second marriage with one Neelam Kumari without dissolving first marriage with the complainant.

Learned counsel for the petitioner contends that F.I.R under Section 494 IPC is not maintainable as the same is non-cognizable offence.

Even if we accept this argument of learned counsel for the petitioner, the fact that he had solemnized second marriage without dissolving first marriage itself amounts to cruelty.

This Court orally informed the learned counsel for the petitioner to take instruction from the petitioner whether he is ready to amicably settle the matter by depositing litigation expenses. Learned counsel for the petitioner informs that the petitioner is a labourer and is not in a position to deposit litigation expenses.

In view of the above factual position, no ground is made out to grant anticipatory bail to the petitioner.

The petition is dismissed.

22.02.2017

G Arora

**Whether speaking/reasoned
Whether reportable**

(RITU BAHRI)

JUDGE

Yes

No