

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

CRM-M-38063-2015 (O&M)

Date of Decision: 16.11.2017.

Harman Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. S.S. Swaich, Advocate,
for the petitioners.

Ms. Anju Arora, Addl. AG Punjab.

Mrs. G.K. Mann, Advocate,
for respondent No.2/complainant.

JITENDRA CHAUHAN.J.(ORAL)

CRM No.29577 of 2017

The application is allowed as prayed for. Annexure
P-5 is taken on record subject to all just exceptions.

Main case

The present petition has been filed under Section 482
Cr.P.C for quashing of the FIR No.15 dated 26.08.2015 registered
under Sections 406 and 498-A IPC at Police Station NRI, S.A.S. Nagar
(Mohali).

It is contended by the learned counsel for the
petitioners that the petitioners are Indian National Citizens. The
allegations against the petitioners are not made out as petitioner Nos. 2

and 3 being parents-in-law had been residing separately from the complainant as well as their son, Harman Singh. The complainant is not an Indian citizen. She came to this country only for lodging the FIR. Subsequently, a decree of divorce was also passed by the competent Court in Germany.

On the other hand, the learned State counsel submits that the petitioners have been evading the process of the Court and a look out notice has already been issued against them.

The learned counsel for the complainant states that more than 60 lakh was spent on the marriage.

Heard.

The issue of entrustment of dowry articles is to be raised and established during the trial. At this stage, the Court is not inclined to express any opinion on the same. Thus, without adverting to the merits of the case; considering the fact that the petitioners have not yet joined the investigation which is still pending, the Court feels that no case for quashing the FIR at this stage is made out. However, considering the factum of divorce granted by the competent Court after hearing both the parties, the Court directs that in case the petitioners surrender before the competent Court within two months from the release of this order, they be admitted to bail on their furnishing adequate bail bonds and surety bonds to its satisfaction. The petitioners shall also surrender their passports and shall remain present in this

country during the pendency of the trial.

The petition stands disposed of accordingly.

16.11.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No