

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

Criminal Misc. No.M- 7574 of 2017(O&M)

Date of Decision: March 6 , 2017.

Navdeep Singh @ Mintu PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Simranjeet Singh Sarwara, Advocate
for the petitioner.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.03 dated 21.01.2017 under Sections 406/498A IPC registered at Police Station Women Cell Mohali.

Learned counsel for the petitioner vehemently argues that there is no specific allegation of demand of dowry etc. levelled in the abovesaid FIR. The cruelty sought to be projected in the complaint is incorrect and baseless. No such incident of cruelty had taken place. Furthermore, the petitioner is ready and willing to rehabilitate the petitioner.

I have heard learned counsel for the petitioner and gone through the file.

Clear allegations have been raised in the FIR against the petitioner. It is mentioned by the complainant that she was working in the musical group run by the petitioner. She was allured by him. When the petitioner promised to marry her, she obtained divorce from her husband. After she obtained divorce on 30.09.2015 from her first husband, the petitioner did not come forward to marry her. A complaint was filed by her on 17.08.2016. In order to avoid criminal proceedings, the petitioner married the complainant on 17.08.2016. She was however subjected to physical and mental torture in her matrimonial home.

In the present petition it is admitted by the petitioner that he is running a musical group and the complainant was a part of the said group. Para 4 of this petition reads as under:-

“4. That the complainant divorced her previous husband and has leveled false allegation against the present petitioner that the petitioner cheated upon her on the pretext of marriage. It is pertinent to mention here that the petitioner had married the complainant under police pressure.”

The petitioner himself is admitting that he married the petitioner in order to avoid criminal proceedings. Learned counsel for the petitioner seeks to explain this averment by stating that this averment has been made only with a view to explain that no dowry whatsoever was demanded or taken at the time of marriage.

Having heard learned counsel for the petitioner and going through the file, I do not find any ground to extend the concession of

anticipatory bail to the petitioner.

Consequently, this petition is dismissed.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case and the same are confined for the purpose of decision of the present petition only.

March 6 , 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No