

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

**CRM-M No. 3047 of 2018
DATE OF DECISION :- July 16, 2018**

Sachin Mishra

...Petitioner

Versus

The State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Abnash Singh Bakshi, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

Mr. B.S. Jaswal, Advocate for complainant.

This is a petition for grant of anticipatory bail/pre arrest bail filed by petitioner Sachin Mishra, an accused in F.I.R. No. 74 dated 29.9.2017 for offences under Sections 406, 498-A IPC registered with Police Station Naya Gaon, District SAS Nagar, Mohali.

Briefly stated the facts of the case as per prosecution story are that complainant Shilpa had got registered the present F.I.R. against her husband Sachin Mishra (present petitioner), father-in-law Lal Ji Mishra and Smt. Urmila Mishra on the allegations that she was married with accused Sachin Mishra on 17.6.2011 at Hotel Park View, Sector 24, Chandigarh. Her parents had spent huge amount on her marriage and had given considerable dowry articles but her husband and father-in-law were not

satisfied with such items and they demanded a Car from her parents. Her parents had given a Maruti Ritz Car by raising loan from the bank but that did not satisfy her husband and father-in-law and more demands of dowry in the form of cash and articles were raised. When she was unable to get those demands accepted, she was given beatings by her husband and father-in-law and ultimately turned out of the matrimonial home on 16.8.2016 and since then she is residing at her parental place.

Apprehending his arrest, petitioner Sachin Mishra had filed a petition for pre arrest bail in the Court of Sessions which was marked to Additional Sessions Judge, Mohali, who vide order dated 2.1.2018 dismissed, the same as such he has approached this Court by filing a petition craving for the similar relief, notice of which was given to the State and respondent-complainant, who put in appearance. The matter was referred to Mediation and Conciliation Centre of this Court for making efforts for amicable settlement but those proved to be unsuccessful.

I have heard learned counsel for the petitioner, learned counsel for the complainant and learned State counsel besides going through the record.

The allegations against the petitioner are very grave and serious. He has not joined the investigation so far. As stated by the State counsel, recovery of dowry articles is yet to be effected from him and in that way his custodial interrogation is necessary.

I, on my part feel that custodial interrogation of petitioner is necessary for just and effective investigation and to effect the recovery and in case the same is denied to the investigating agency that would leave

many loose ends adversely effecting the investigation which is uncalled for.
Pre arrest bail is a discretionary relief not to be granted in routine but in exceptional circumstances.

There is no merit in the petition, therefore, the same stands dismissed.

(H.S. MADAAN)
JUDGE

July 16, 2018
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No