

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

CRM-M-32768 of 2018 (O&M)

Date of decision: 30.10.2018

Paramjit Singh Chauhan and anotherPetitioners

Versus

State of Punjab and anotherRespondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. I.P.S.Kohli, Advocate for the petitioners.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Siddharth Gupta, Advocate for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in case registered vide FIR No.6 dated 13.6.2018 under Sections 406, 420 and 120-B of Indian Penal Code, 1860 registered at Police Station NRI Bathinda, District Bathinda.

The FIR was lodged at the instance of Gurmeet Singh who has alleged that he came in contact with petitioner Paramjit Singh Chauhan, his son Mukhtiar Singh @ Prince through a matrimonial advertisement and in pursuance thereof a *roka* ceremony was performed between complainant's daughter Priyanka and Mukhtiar Singh @ Prince on 29.1.2017. It is alleged that as demanded by the accused they had given gold ornaments and expensive clothes to Paramjit Singh and to his wife and had also borne the expenses of the hotel where the function was organised. It is further alleged that two days after the *roka* ceremony, Mukhtiar Singh @ Prince and his

parents came to the house of the complainant at Mansa and lodged

grievances to the effect that the complainant had not given sufficient gold ornaments and demanded an amount of ₹ 1 lac on account of the fact that they had to give gold ornaments to their relatives and upon their demand, the said amount of ₹ 1 lac was paid in cash. It is further the case of the complainant that on 22nd October, 2017, ring ceremony was performed and on demand of the accused, gold kara weighing 43 grams was given to Mukhtiar Singh Chauhan @ Prince and a diamond ring to his father Paramjit Singh and a gold set to his mother apart from expensive clothes. It is further alleged that subsequently the boy's parents started demanding Innova car but the complainant could not accede to the said demand. It is alleged that later upon inquiries, it transpired that Mukhtiar Singh Chauhan @ Prince had cheated several other persons and had been married earlier with two different girls although at the time of finalization of the matrimonial alliance with his daughter, it had been informed that Mukhtiar Singh @ Prince is single and had never been married or engaged earlier.

Notice of the petition was issued to the respondent-State.

The learned State counsel assisted by learned counsel for the complainant are opposing the petition.

The learned counsel for the petitioner has submitted that a false FIR has been lodged pursuant to the relations between the parties having turned awry and that in fact all the allegations regarding demand of gold and other valuables have been cooked up simply to pressurize the petitioners and their son. It is further submitted that the complainant and his daughter were made fully aware about the earlier marriage of Mukhtiar Singh @ Prince, as would be evident from the “whatsapp” conversation annexed with this petition as Annexure P-6. The learned counsel has further submitted that in any case the petitioners are parents of the boy and have already joined the

investigation and in these circumstances they deserve the concession of bail.

On the other hand, the learned State counsel assisted by learned counsel for the complainant has submitted that the petitioner had never disclosed about the factum of his previous marriage and also about the fact that he had earlier also been engaged to Rajwinder Kaur and his earlier marriages with Harvinder Kaur and Vandana Bagga and that in these circumstances, the petitioners do not deserve the concession of bail keeping in mind that the complainant had been made to pay huge amount in the shape of gold ornaments, valuables, clothes etc.

I have considered the rival submissions addressed before this Court.

A perusal of the “Whatsapp” conversation annexed with the petition shows that in the month of February, 2017 i.e. after the 'roka' ceremony, conversation had been taking place between Mukhtiar Singh @ Prince and Priyanka and a perusal of the same does give indication that the conversation also pertained to the earlier marriages inasmuch as there is reference to some court papers. The learned counsel for the complainant has, however, submitted that the said conversation was in respect of Vandana Bagga only whereas in fact the petitioner earlier also remained married to Harvinder Kaur which had completely been concealed by the petitioners and their son.

Having considered the aforesaid submissions, I find as on the date when the *roka* ceremony was performed, the son of the petitioners admittedly was married to Vandana Bagga but the “Whatsapp” conversation does show that he had been discussing the said matter with its prospective wife Priyanka. In any case, I find that the present petitioners are the parents of Mukhtiar Singh @ Prince and it would be Mukhtiar Singh @ Prince who

would be obliged to furnish complete information regarding his marriage though his parents would of course be aware about the same. In these circumstances, in my opinion, since the petitioners have already joined investigation, I do not find any case for custodial interrogation. The petition, as such, is accepted and the interim directions are hereby made absolute.

30.10.2018
kamal

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No