

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

Crl. Misc. No. M-38685 of 2016

Date of Decision : February 06, 2018

Arjun SinghPetitioner

Versus

State of Punjab and another..... Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL

...

Present: Mr. M.S.Virk, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

Mr. Sanjeev Kumar Bawa, Advocate
for respondent No.2.

...

LISA GILL, J. (Oral)

Petitioner seeks the concession of anticipatory bail in FIR No.111 dated 22.08.2016 under Sections 406/498-A IPC registered at Police Station Women, Jalandhar.

It is submitted that no allegation of demand of dowry has been raised by the complainant in the FIR. Moreover, the complainant has taken away all the articles when she left the matrimonial home. It is further submitted that the aforesaid FIR has been registered only because the petitioner could not make necessary arrangements for sending the complainant abroad. Learned counsel for the petitioner contends that it is mentioned in the FIR itself that at the time of marriage the in-laws family

had assured the complainant's parents that they will meet the expenses of IELTS to be taken by the complainant and bear all expenses of her going abroad. The petitioner and his family could not make necessary arrangements therefore this FIR was registered. The petitioner filed a petition under Section 9 of the Hindu Marriage Act, 1955 as well. Moreover, the petitioner has joined investigation pursuant to interim order passed by this Court. It is, thus, prayed that this petition be allowed.

Learned counsel for the complainant while opposing this application submits that the complainant was subjected to ill-treatment and harassment at the hands of the petitioner along with the minor child who was born on 11.01.2016. Allegations have been raised regarding illicit relations maintained by the petitioner. It is contended that the petitioner was even disowned by his parents in November 2015 with ulterior motives, though the petitioner enjoys a good relationship with his father. Moreover, it is argued that the *bona fides* of the petitioner are clearly suspect. He has given his address of Kandaghat in Himachal Pradesh whereas he is not residing at the said address. He is, in fact, residing at Ludhiana (where his father resides) which is reflected in the Marriage Certificate dated 02.04.2015 as well as the Passport of the petitioner. Photocopies of the Marriage Certificate dated 02.04.2015 and Passport produced in Court today are taken on record subject to just exceptions.

Learned counsel for the State, on instructions from ASI Sarabjit Singh, submits that when the petitioner joined investigation he has mentioned his address at both places i.e. Ludhiana and Kandaghat. Recovery of articles has not been effected from the petitioner.

An effort was made for mediation. The parties were referred to

the Mediation & Conciliation Centre of this Court but the same was not fruitful.

Heard learned counsel for the parties at length.

Keeping in view the specific allegations against the petitioner, the facts and circumstances of the case, I do not find any ground to grant the concession of anticipatory bail to the petitioner.

The petition is dismissed.

06.02.2018

rupi

**(LISA GILL)
JUDGE**

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No