

Criminal Misc. No. M- 43014 of 2017 (O&M)

Date of decision : February 20, 2018

Amar Singh and another

.....Petitioners

Versus

State of Punjab and another

....Respondents

Criminal Misc. No. M- 45145 of 2017 (O&M)

Daljinder Singh

.....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Satbir Gill, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Achin Gupta, Advocate
for respondent No. 2.

LISA GILL, J.

This order shall decide Criminal Misc. Nos. M-43014 and 45145 of 2017.

Prayer in these petitions is for grant of anticipatory bail to the petitioners in FIR No. 49 dated 03.10.2017 under Sections 498A, 406, 506, 34 IPC registered at Police Station Women Cell, Bathinda, District Bathinda.

Petitioners – Amar Singh and Gurjeet Kaur (in CRM-M-43014-2017) are the aged parents-in-law of the complainant. It is submitted that vague and general allegations have been levelled against them. Marriage of the petitioners' son and respondent No. 2 took place on 05.03.2014. The

present petitioners, it is submitted, never raised any demand of dowry. All allegations raised against them are absolutely false and incorrect. The complainant was never subjected to any ill-treatment or harassment on account of bringing insufficient dowry. Moreover, the petitioners have joined investigation and they undertake to face proceedings.

Petitioner – Daljinder Singh (in CRM-M-45145-2017) is the husband of the complainant. It is vehemently argued that FIR in question was lodged due to temperamental differences between the parties. No such expenditure, as alleged in the FIR, was incurred at the time of marriage and neither was any demand of dowry ever raised by the petitioner. The complainant has implicated the entire family of the petitioner without any rhyme and reason. It is, thus, prayed that these petitions be allowed.

Learned counsel for the complainant has opposed both these petitions. It is submitted that a sum of about ₹30 lakhs was spent at the time of marriage. The complainant's father sold his truck and one acre of his land at the time of her marriage. Specific bills of the articles given in dowry have been submitted before the police authorities. The petitioner, it is alleged, is habitual of consuming drugs and quarrelling with the complainant under influence of the same. It is argued that the complainant was thrown out of the matrimonial home on 06.07.2016. Therefore, it is prayed that this petition be dismissed.

Heard, learned counsel for the parties at length.

Petitioners – Amar Singh and Gurjeet Kaur (in CRM-M-43014-2017) are the aged parents-in-law of the complainant. Both of them are over 60 years of age. Learned counsel for the State, on instructions from ASI Jagsir Singh, verifies that both the petitioners have joined investigation.

They are not reported to be involved in any other criminal case.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow CRM-M-43014-2017. Consequently, order dated 15.11.2017 passed in CRM-M-43014-2017 is made absolute.

It is noticed that there are specific allegations of ill-treatment and harassment meted out to the complainant by the petitioner – Daljinder Singh. There are allegations of physical abuse as well against the petitioner. In view of the factual matrix of the case, I do not find any extra ordinary circumstance to afford the concession of anticipatory bail to the petitioner – Daljinder Singh (in CRM-M-45145-2017).

Consequently, CRM-M-43014-2017 is allowed and CRM-M-45145-2017 is dismissed.

February 20, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No