

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

CRM-M-7754 of 2017 (O&M)

Date of Decision:09.02.2018

Harbhajan Singh and others

..... Petitioner s

Versus

State of Punjab and another

..... Respondents

AND

CRM-M-7769 of 2017 (O&M)

Gurnam Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

AND

CRM-M-7778 of 2017 (O&M)

Balwinder Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.Rakesh Gupta, Advocate
for the petitioner(s).

Ms. Monika Jalota, DAG, Punjab.

Mr.Aman Sharma, Advocate
for respondent no.2.

LISA GILL, J(Oral).

This order shall dispose of CRM-M-7754 of 2017, CRM-M-7769 of 2017 and CRM-M-7778 of 2017. For the sake of convenience, facts are extracted from CRM-M-7754 of 2017.

Petitioners seek the concession of anticipatory bail in FIR No.122 dated 19.11.2016, under Sections 406, 498-A, registered at Police Station City Women Cell, District Patiala.

It is submitted that the petitioners in CRM-M-7754 of 2017 are the brothers-in-law of the complainant i.e. brothers of the complainant's husband. Petitioners Balwinder Singh and Jeet Kaur in CRM-M-7778 of 2017, are the parents-in-law of the complainant. Petitioner-Gurnam Singh in CRM-M-7769 of 2017, is the husband of the complainant.

Learned counsel for the petitioners submits that no specific allegation has been levelled against any of the petitioners except Gurnam Singh, the husband of the complainant. As per allegations in the FIR, Gurnam Singh was given a sum of ₹1,50,000/- in the marriage. Another sum of ₹30,000/- was given to petitioner-Gurnam Singh. Thereafter, a demand of ₹50,000/- was being raised. It is further alleged in the FIR that the complainant's husband is a drug addict. The parents-in-law and brothers-in-law of the complainant, it is submitted have been falsely implicated only because of their relationship with the complainant's husband. They have nothing to do with the matrimonial dispute between the complainant and her husband. In respect to petitioner-Gurnam Singh, it is submitted that no demand of dowry was ever raised by him and he has been falsely implicated in this case. It is thus prayed that these petitions be allowed.

Learned counsel for the complainant has opposed these petitions while submitting that it is clearly mentioned in the FIR itself that specific amount of money was handed over to the complainant's husband and demand of ₹50,000/- was raised by all other accused who ill-treated, harassed the complainant and ultimately turned her out of the matrimonial home. Mediation between the parties has failed.

Learned counsel for the State, on instructions from ASI Gurnam Singh, affirms and verifies that the petitioners have joined investigation, though certain recoveries it is submitted are yet to be effected. They are not reported to be involved in any other criminal case.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, petitions i.e. CRM-M-7754 of 2017 and CRM-M-7778 of 2017 are allowed. Consequently, order dated 10.03.2017, is made absolute.

In view of the specific allegations in respect to the petitioner-Gurnam Singh in CRM-M-7769 of 2017, I do not find any sufficient ground to afford the concession of anticipatory bail to the said petitioner.

Accordingly, CRM-M-7769 of 2017, 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. The same are solely confined for the purpose of decision of the present petitions.

09.02.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.