

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

CRM-M-9056-2017

Date of decision:- 25.7.2018

Gurmeet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

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

Present: Mr.Simranjit Singh, Advocate
for the petitioner.

Mr.Dhruv Dayal, Sr.DAG, Punjab.

Mr.Gaurav Kumar Gogna, Advocate
for respondent No.2.

H.S. MADAAN, J.

The instant petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner - Gurmeet Singh, an accused in FIR No.25 dated 25.1.2017, under Sections 498-A, 406 IPC, registered at Police Station City, Kapurthala.

Briefly stated, the facts of the case as per prosecution version are that Gurpreet Kaur @ Neha daughter of Amarjit Singh, resident of House No.B-11/28, Mohalla Jattapura, New Abadi, Kapurthala had submitted a written complaint addressed to Senior Superintendent of Police, Kapurthala against her husband Gurmeet Singh @ Goldy (present petitioner), father-in-law – Bhupinder Singh, mother-in-law Jasvir Kaur

@ Savitri etc. contending therein that at the time of her marriage with Gurmeet Singh @ Goldy, her parents had spent considerable amount and had given sufficient dowry articles; that after the marriage, the complainant found that her husband used to remain aloof and as it subsequently transpired, he was mentally upset; that the complainant bore with such situation in the hope that things would improve for the better but that was not to be, she rather learnt that her husband was not doing any Government job as represented earlier before marriage and was not getting Rs.50,000/- as salary; that the medical condition of Gurmeet Singh @ Goldy started deteriorating for want of proper medical treatment; that the parents-in-law of complainant asked her to bring Rs.10 lakhs from her parents for sending her and her husband abroad but complainant refused to do so, as such, her husband started picking up quarrel with her and he would confine the complainant in a room, bolting the door from outside; that she became very upset and in August, 2015, her parents took her to Kapurthala; that Gurmeet Singh @ Goldy started putting defamatory comments on face-book account with regard to the complainant.

When the complainant had submitted a complaint to the police, a preliminary inquiry in the matter was conducted as a result of which allegations against the present petitioner Gurmeet Singh were found to be correct and thereafter FIR had been registered.

On registration of formal FIR, apprehending his arrest in this case, the petitioner had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application, however, his such request was declined by learned Sessions Judge, Kapurthala vide order dated 6.3.2017.

As such, the petitioner has approached this Court asking for similar relief.

Notice of the petition was given to respondents, who put in appearance through counsel.

I have heard learned counsel for the parties besides going through the record.

The main thrust of allegations in the FIR is against Gurmeet Singh @ Goldy. He is stated to be in possession of many *ISTRIDHAN* articles belonging to the complainant. Though he is shown to have joined the investigation but as stated by the State counsel, he has not cooperated with the investigating agency and has not got the recovery effected. He is stated to have put many objectionable comments with regard to his wife, the complainant on social media(face-book).

Custodial interrogation of the petitioner is definitely required for complete and effective investigation. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

25.7.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No