

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-7133-2019 (O&M)
Date of decision : 10.12.2019

Davinder Singh

... Petitioner

VERSUS

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Bhanu Pratap Singh, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Sandeep Gors, Advocate,
for the complainant.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.192 dated 9.12.2018 at Police Station Dasuya, District Hoshiarpur, Punjab under Sections 498-A, 406 of Indian Penal Code and Section 4 of Dowry Prohibition Act, 1961.

The FIR was lodged at the instance of Ms. Komal wherein it has been alleged that her marriage was solemnized with the petitioner on 6.12.2014 and that although a large number of gifts including gold ornaments had been given at the marriage to the petitioner and to other members of his family but they were not satisfied with the same. It is alleged that shortly after the marriage, the conduct of the accused became

result of which, there was miscarriage of pregnancy.

It is further alleged that the accused had embezzled the articles of dowry as given at the time of marriage and thereafter.

The learned counsel for the petitioner has submitted that a false FIR has been lodged solely on account of matrimonial discord amongst the parties and that all the allegations levelled in the FIR have been cooked up falsely.

Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that since specific and categorical allegations have been levelled in the FIR, no case for grant of bail is made out.

Learned State counsel, on instructions from ASI Jasbir Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has joined the investigation.

Learned counsel for the complainant has informed that earlier an amount of ₹ 1,60,000/- had been deposited by the petitioner when a petition for divorce had been filed and that the said amount was released to the complainant although subsequently the divorce petition was withdrawn.

I have considered rival submissions addressed before this Court.

Apparently, it is a case which has arisen out of matrimonial discord amongst the parties. It will be only after the evidence is led that the allegations may be established.

Having regard to the facts and circumstances and while also bearing in mind that the petitioner has already joined investigation, his

and the interim directions issued by this Court vide order dated 15.2.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

December 10, 2019

Paritosh Kumar

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No