

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10972-2019

Date of decision : 18.10.2019

Gurpreet Singh

.... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vinay Kumar Malhotra, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

GURVINDER SINGH GILL, J (ORAL)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No. 109 dated 25.11.2018, registered at Police Station Chohla Sahib, District Tarn Taran, under Sections 498-A and 406 of IPC.
2. The FIR was registered at the instance of Ranjit Kaur, wherein it has been alleged that she was married to petitioner about 6 months back and was blessed with a son, who is aged about 4 ½ half years. It is alleged that at the time of marriage, her parents had given dowry beyond their means, but her husband and other members of his family were not satisfied with the same and used to harass her and give beatings to her and ultimately turned her out of her matrimonial home.
3. Learned counsel for the petitioner has submitted that the matter arises out of matrimonial discord amongst the parties and that false FIR has been lodged in order to pressurize the petitioner and that the entire allegations of harassment have been cooked up.

4. Opposing the petition, learned State counsel, on instructions from SI Baldev Raj, submitted that since the petitioner, being the husband is the main accused and categoric allegations have been levelled in the FIR, no case for grant of anticipatory bail is made out. It has however been informed that the petitioner has since joined the investigation, although the articles alleged to be dowry articles have not been recovered.
5. Having considered rival submissions addressed before this Court and bearing in mind that the case has arisen out of matrimonial discord and that the petitioner has since joined investigation, custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 05.04.2019 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.

(GURVINDER SINGH GILL)
JUDGE

18.10.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No