

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

CRM-M-12939-2019 (O&M)
Date of Decision:-26.8.2019

Ajay Kumar

... Petitioner

Versus

State of Punjab and Another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shakti Mehta, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Sunil Saharan, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.

1. The petitioner Ajay Kumar has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.19 dated 30.1.2019 under Sections 406, 498-A IPC at Police Station Mullanpur, District SAS Nagar.
2. The FIR was registered at the instance of Ruby against her husband i.e. the petitioner Ajay Kumar, mother-in-law Santosh Devi, sisters-in-law Indu Bala and Sapna, brother-in-law Arpit Singh, Mediator Anu and maternal uncle of Mediator namely Sham Singh Rana. The complainant alleged that she was married to Ajay Kumar in the year 2017 and a daughter was born out of the wedlock. It is alleged that shortly after the marriage, the accused started harassing her for more dowry and asked her to bring an amount of ₹30,000/- per month from her parents and was ultimately turned out of her matrimonial home.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the allegations levelled in the FIR do not carry any substance and the FIR has been lodged simply to pressurize the petitioner and other members of his family.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and there are direct allegations against him, no case for grant of anticipatory bail is made out.
5. I have heard learned counsel for the parties. The facts suggest that the case apparently arises out of matrimonial discord amongst the parties. It will be a matter of evidence as to whether the allegations levelled therein carry any substance or not. The petitioner, in any case, is stated to have joined investigation.
6. Having regard to the facts and circumstances of the case, in my opinion, it is not a case warranting custodial interrogation. The petition, as such, is accepted and the interim directions issued vide order dated 12.4.2019 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.
7. The petition stands accepted accordingly.

26.8.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No