

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25113-2018 (O&M)

Date of Decision:- 27.8.2019

Vishal Beri

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Dr. Payel Mehta, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. By way of filing this petition, petitioner-Vishal Beri seeks grant of anticipatory bail in respect of a case registered vide FIR No.239, dated 2.12.2017, registered at Police Station City Kharar, under Sections 406 and 498-A IPC.
2. The FIR was lodged at the instance of petitioner's wife namely Pooja Angrish wherein it has been alleged that she was married to the petitioner on 18.1.2013 and that her parents had spent an amount more than ₹15 lacs on the marriage and had given various gifts and jewellery articles to her in-laws as per their demand. It is alleged that

the petitioner and other members of his family were however not satisfied and used to demand more dowry and kept on harassing the complainant. It is also alleged that ultimately the complainant alongwith her child were thrown out of her matrimonial home. It is also the case of the complainant that all her articles of *istridhan* have been misappropriated by the accused.

3. Learned counsel for the petitioner has submitted that it is in fact a case of some matrimonial incompatibility which has been given the colour of criminal offence and that the entire allegations pertaining to demand of dowry etc. have been levelled falsely.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has however, been informed by the learned State counsel that although the complainant has taken the jewellery articles which had been produced by the accused but she had refused to take the household articles which had been produced.
5. Having regard to the facts and circumstances of the case and while bearing in mind that the case is apparently a matter arising out of a matrimonial discord and also that the petitioner has already joined investigation, in my opinion it is not a case warranting custodial interrogation. The petition, as such, is accepted and interim directions issued vide order dated 4.6.2018 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.

6. The present petition stands accepted accordingly.

August 27, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No