

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

CRM-M-27391-2018 (O&M)

Date of Decision:- 11.9.2019

Manminder Singh @ Prince

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. S.S.Chakal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Amit Shukla, Advocate for complainant (Amicus Curiae).

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**GURVINDER SINGH GILL, J.**

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.54 dated 11.5.2018 under Sections 494/498-A IPC at Police Station Kharar, District SAS Nagar, Mohali.
2. The FIR was registered at the instance of Krishna Devi wherein it has been alleged that her daughter Anju was married to petitioner Manminder Singh on 19.10.2004. It is alleged that Manminder Singh-petitioner was, however, having an affair with some other woman with whom he is presently residing. It is alleged that Manminder Singh used to interfere in the matrimonial life of the said woman and did not let her matrimonial alliance work as he wanted to marry the said woman and got her separated from her husband and subsequently started residing with the said woman. It is alleged that the complainant's daughter was thrown out of her matrimonial home and was told to commit suicide so that Manminder Singh can solemnize marriage with some one else. It is further alleged that infact complainant's daughter

subsequently jumped into a canal but was rescued by some passersby and although the matter was referred to the police but no action was taken thereupon. It is further alleged that Manminder Singh's mother is also fully supporting her son. It is also alleged that Manminder Singh and his mother Kamla Devi had taken the jewellery belonging to complainant's daughter. The complainant also asserted therein that when her daughter had become pregnant, the accused intentionally made her do strenuous work due to which there was miscarriage of pregnancy in the year 2012.

3. The learned counsel for the petitioner has submitted that even if the allegations levelled in the FIR are taken to be correct still the only offence that can be said to be made out is an offence under Section 494 IPC, which is a bailable offence and that no offence under Section 498-A IPC would be attracted as there are no specific allegations as regards harassment of the complainant's daughter on account of demand of dowry.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of anticipatory bail is made out. It has, however, been informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstance of the case, it will certainly be debatable as to whether any offence under Section 498-A IPC would be made out or not. In any case, since the petitioner has already joined investigation, the facts do not warrant custodial interrogation.
6. The petition, as such, is accepted and the interim directions issued vide order dated 17.7.2018 are hereby 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 is accepted accordingly.

11.9.2019

kamal

(Gurvinder Singh Gill)  
Judge

Whether speaking /reasoned  
Whether Reportable

Yes / No  
Yes / No