

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

CRM-M-18395-2019 (O&M)

Date of Decision:- 22.11.2019

Mirgender Sharma

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. C.L.Verma, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab,
assisted by ASI Inderjit Singh.

Mr. Kuljit Singh Bal, Advocate for
complainant/respondent No.2.

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.12 dated 15.3.2019 under Sections 406/498-A IPC at Police Station Women Amritsar, District Amritsar.
2. The FIR was registered at the instance of respondent No.2 Dr. Jyoti Sharma wherein it has been alleged that her marriage was solemnized with petitioner on 29.9.2017 wherein her parents gave gold ornaments, gifts, clothes etc. as per demand of her in-laws. It is alleged that huge expenditure had been incurred even prior to the marriage on ring ceremony and other ceremonies. However, her husband even at the time of honeymoon started taunting her

while saying that the parents of the complainant had not given dowry as per the status of his family and also hurled abuses and gave beatings to her. It is alleged that complainant's husband as well as his parents started pressurizing her to bring cash for the purpose of opening a Pathology Lab at Ludhiana and also pressurized her to leave the job. Whenever the complainant's parents came to her matrimonial home to reason out with her in-laws, they were abused and humiliated and the petitioner is even alleged to have attempted to give beatings to them with a stick. The complainant has asserted that the accused had usurped articles of her '*istridhan*' including gold ornaments.

3. The learned counsel for the petitioner has submitted that it is a case of matrimonial incompatibility where the complainant left her matrimonial home within less than a month of their marriage and later lodged the present FIR in order to pressurize the petitioner and other members of his family.
4. Opposing the petition, the learned State counsel assisted by learned counsel for the complainant has submitted that since specific allegations have been levelled in the FIR regarding the petitioner having mentally harassed the complainant by raising undue demands of dowry, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Apparently, it is a case which has arisen out of matrimonial discord. It will not be appropriate to make any expression as regards the veracity of the allegations at this stage lest it may affect merits of the main case. However, in view of the allegations and the fact that the petitioner is stated to have joined investigation, the petition is accepted and the interim directions

issued by this Court vide order date 25.4.2019 are hereby made absolute subject to the condition that the petitioner shall pay an amount of ₹ 2 lacs to the complainant, which may be paid either by way of demand draft or be given directly or be deposited in her bank account through RTGS or be deposited in the trial Court with notice to the complainant, which in case of deposit, may be withdrawn by the complainant. It shall be open to the trial Court to pass any order in respect of the said amount, at the time of passing judgment in respect of the trial arising out of FIR No.12 dated 15.3.2019 under Sections 406/498-A IPC at Police Station Women Amritsar, District Amritsar.

22.11.2019

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No