

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

CRM M-45997 of 2018

Date of Decision: August 19, 2019

Malkiat Singh

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

Mr. H.S. Grewal, Addl. A.G., Punjab.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off anticipatory bail application under
Section 438 Cr.P.C. moved in FIR No. 29 dated 11.07.2018 under
Sections 406 and 498-A IPC Police Station Women, District Patiala.

The allegations against petitioner Malkiat Singh have been
levelled by Amandeep Kaur/wife alleging that their marriage was
solemnized on 20.01.2017 in which sufficient dowry articles as per the

requirements were given including cash amount of Rs.2,50,000/-. After the marriage, the in-laws including the petitioner/husband were not happy and has been raising demands including Rs.10,00,000/- and on her failure to fulfil the same, she was physically abused leading to the registration of the FIR.

Mr. Shakti Mehta, learned counsel for the petitioner *inter alia* contends that the bare perusal of the FIR does not reflect any specific entrustment of dowry articles to the accused or its criminal breach of trust and nothing is to be recovered from the petitioner as the petitioner has joined the investigation.

Mr. H.S. Grewal, Addl. A.G., Punjab on instructions of ASI Balwinder Singh has stoutly opposed the grant of the bail though accepted the fact that the petitioner has joined the investigation but certain articles of *Istridhan* are yet to be recovered.

Going through the submissions and upon perusal of the allegations levelled in the FIR, it transpires that there is neither any specific entrustment of the any of the article of *Istridhan* much less any criminal breach of trust and refusal by the accused side.

In the light of the same and the fact that the the petitioner has joined the investigation, together with the fact that culpability, if any, of the petitioner shall be determined at the trial which is not likely to be concluded in the near future. Therefore, in the event of arrest, the petitioner be

released on *interim* bail to the satisfaction of Arresting/Investigating Officer.

The petitioner shall, however, join the investigation as and when called for to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. Thereafter, will be released on regular bail upon presentation of challan.

Disposed off.

August 19, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No