

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

CRM-M-21905-2019 (O&M)

Date of Decision:- 12.9.2019

Vikas Gautam

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jashandeep Singh Sandhu, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. P.K.S.Phoolka, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No. 3, dated 31.1.2019, registered at Police Station Women Bathinda, District Bathinda, under Sections 498-A, 406, 34 IPC.
2. The FIR was registered at the instance of Sunita Rani, wherein it has been alleged that she was married to Vikas Gautam on 3.12.2017 and although her parents had spent a huge amount of ₹10-12 lacs on the marriage and had also given various gifts and other articles of dowry

to her husband and to other members of his family, but her in-laws were not happy with the same and started demanding more dowry and used to harass her. It is further alleged that on 23.5.2018, the accused gave beatings to her and when she disclosed the same about this to her parents, they took her to her parental home on the next day and ever since she has been residing with her parents. It is further alleged that the articles of *istridhan* have also been retained by the accused.

3. Learned counsel for the petitioner has submitted that the present case arises out of a matrimonial discord on account of temperamental differences and that false allegations pertaining to the alleged demand of dowry etc. have been levelled. It has however been submitted that pursuant to directions issued by this Court, an amount of ₹50,000/- has already been given by the petitioner towards interim maintenance to respondent No.2 Smt. Sunita Rani.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant, has submitted that since the petitioner is the husband and specific allegations have been levelled against him, no case for grant of bail is made out. Learned State counsel has however informed that investigation has already been concluded and challan has also been filed.
5. Having regard to the facts and circumstances and while noticing that the matter in fact arises out of the matrimonial discord and that the petitioner has already joined investigation and challan has been presented, the facts would not justify custodial interrogation at this

stage. The petition, as such, is accepted and interim directions issued vide order dated 14.5.2018 are made absolute subject to the condition that the petitioner would appear before the Trial Court regularly and abide by any condition, as may be imposed by the learned Trial Court.

6. The present petition stands accepted accordingly.

September 12, 2019

mohan

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No