

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

CRM-M No.46741 of 2016
Date of decision: 9th January, 2019

Paramjit Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab
for respondent No.1/State.

Mr. Prateek Pandit, Advocate for respondent No.2.

FATEH DEEP SINGH, J. (ORAL)

This order shall dispose off first anticipatory bail application under Section 438 Cr.P.C. of the petitioner Paramjit Singh in case bearing FIR No.91 dated 25.10.2016 under Sections 498-A, 406 IPC pertaining to Police Station Fattudinga, District Kapurthala.

The brief allegations have been leveled by the complainant wife Balwinder Kaur alias Ramandeep Kaur alleging that her marriage with the petitioner was solemnized on 23.02.2015 and at the asking of the accused side, her parents had given adequate Stridhan comprising of costly clothes, gold ornaments and luxuries of life including motorcycle, washing machine and refrigerator etc. and that in spite of the same the accused side was not happy with the Stridhan and kept on demanding more and on account of which a matrimonial dispute arose between the

parties whereby the accused side refused to return the Stridhan leading to registration of the present case.

Learned counsel for the petitioner Mr. Sandeep Arora contends that there is neither any case of specific entrustment of any article of Stridhan much less usurping of the same and that no case is made out.

Learned State counsel on instructions from HC Balvir Singh from Police Station Fattudinga, District Kapurthala assisted by learned counsel for the complainant Mr. Prateek Pandit have opposed the grant of bail on the grounds that there is much in abundance that the petitioner had entered into a settlement before the Mediator and had backed out of the same, and have highlighted the fact that even as on date on account of non-payment of maintenance allowance the petitioner is behind bars and thus, has sought to highlight the insolence of the petitioner to the assurances given at the mediation and that the articles of Stridhan are yet to be recovered.

Appreciating the submissions of the two sides, it is not in any manner disputed by learned counsel for the petitioner that the petitioner is presently behind bars for failing to undergo his obligations in paying the maintenance allowance. Furthermore, as is there in the record of the present petition, a settlement had been arrived at between the parties before the Mediator on 23.08.2017 and that in spite of the same, the petitioner has backed out of the same. The articles of Stridhan are yet to

be recovered and without feeling necessity to advert on to the merits of the petition, this Court is of the view that custodial interrogation of the petitioner is necessary besides the fact that the very conduct of the petitioner disentitles him to any relief.

Finding no merit, the petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

January 9, 2019

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No