

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

CRM-M-21861-2019 (O&M)
Date of Decision:- 29.11.2019

Naval Kishore ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Jain, Advocate, for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

GURVINDER SINGH GILL, J.

1. Petitioner-Naval Kishore, seeks grant of anticipatory bail in a case registered vide FIR No.24, dated 21.12.2018, registered at Police Station Women, District SAS Nagar, under Section 498-A IPC.
2. The FIR was registered at the instance of Monika wherein it has been alleged that her marriage was solemnized with Naval Kishore (petitioner) on 28.11.2012. It is alleged that the complainant had earlier submitted a complaint dated 9.7.2016 but subsequently the

matter was compromised and on 2.9.2016, her in-laws took her to matrimonial home at Delhi but subsequently they again started harassing and beating her. It is alleged that on 19.12.2017 her husband Naval Kishore and her in-laws threw her out of the matrimonial home while giving beatings to her. It is alleged that her husband brought a truck and loaded all the articles and they took a room on rent i.e. Flat No.58, Top Floor, where they started residing but her husband kept on harassing her and used to abuse her and gave beatings to her and also made demands of dowry. It is alleged that the house where the complainant was living with her in-laws earlier was later sold and she was thrown out of the said house and another house was purchased in the name of her brother-in-law i.e. her *jeith* (Jugal Kishore) and nothing was given to them. It is alleged that on 19.12.2017 her brother-in-law (*nandoi*) namely Surinder had threatened her to leave the house. It is further alleged that on 3.6.2018 when complainant's brother and her sister came to Delhi, then her husband quarreled with them as well and abused them. It is further alleged that on 4.6.2018, she called her father as her husband had been threatening her and his father came on 5.6.2018 and took her to Hari Nagar Police Station where she lodged a complaint against her husband.

3. Learned counsel for the petitioner has submitted that it is at best a case of some matrimonial incompatibility between the complainant and that the complainant has cooked up false allegations in order to unnecessarily harass the petitioner and that he or other members of

his family had never raised any demand of dowry or harassed the complainant. Learned counsel for the petitioner has submitted that in order to prove his bonafides, the petitioner is willing to deposit an amount of ₹3 lakhs in favour of his daughter.

4. Opposing the petition, learned State counsel has submitted that since there are specific allegations of harassment levelled 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. I have considered rival submissions addressed before this Court. The matter apparently is an outcome of some matrimonial discord. In any case, since the petitioner has already joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and interim directions issued vide order dated 14.5.2019 are 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.
6. However, keeping in view the offer made by the petitioner, he is directed to invest an amount of ₹3 lakhs in favour of his daughter namely Disha in the shape of FDR in some nationalized bank within a period of 6 months from today, which she shall be entitled to encash after attaining the age of majority. The amount shall be invested in the FDR after informing the complainant about the same.

7. A copy of this order shall be furnished by the parties to the Bank concerned where the amount is invested at the time of getting the said FDR made.

November 29, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No