

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

(I)

CRM-M-24794-2019 (O&M)

Date of Decision:- 28.11.2019

Gurdarshan Kaur

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

(II)

CRM-M-22140-2019 (O&M)

Sukhchain Singh

... Petitioner

Versus

State of U.T. Chandigarh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Munish Bhardwaj, Advocate,
for the petitioner(s).

Kr. Yshwant Singh Rathore, Addl. P.P., U.T. Chandigarh,
assisted by SI Balvir Singh.

Mr. Sudha Singh, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Gurdarshan Kaur and Sukhchain Singh, have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.49, dated 26.2.2019,

registered at Police Station Women, Chandigarh, under Sections 406, 498-A IPC.

2. The FIR was lodged at the instance of Smt. Manu Devi wherein it has been alleged that her marriage was solemnized with petitioner-Sukhchain Singh on 4.3.2017 and her parents had given a large number of articles in the shape of cash, jewellery and other articles at the time of her marriage to her husband and other members of his family as demanded by them but they were not happy with the same and immediately after marriage they started maltreating and harassing her for having brought insufficient dowry. She was even taunted by her mother-in-law and father-in-law for not being able to cook tasty food and for not attending to the household chores. The complainant's brother-in-law instigated complainant's husband to get his marriage dissolved as the complainant had not brought sufficient dowry. Complainant's sister-in-law who was also residing in the same house always used to speak disapprovingly about the complainant, to complainant's husband and raised false allegations. It is alleged that on 4.8.2017 her sister-in-law stolen her gold mangalsutra and a gold chain and when the complainant complained about the same to her husband, he rather gave beatings to the complainant. It is alleged that the accused pressurized the complainant to bring an amount of ₹10 lakhs from her parents for the purpose of business of complainant's husband. It is further alleged that she was even given beatings when she was pregnant and

allegations against her character were also raised and when she objected to the same she was given beatings by the accused.

3. Learned counsel for the petitioners who are husband and mother-in-law of the complainant has submitted that a false FIR has been lodged mainly on account of some matrimonial incompatibility between the complainant and her husband and that the entire family of complainant's husband has been involved in order to pressurise her husband to extract money from him. Learned counsel has submitted that the entire allegations pertaining to demand of dowry, maltreatment and harassment levelled in the FIR have been cooked up falsely and are not substantiated in any manner. A prayer has thus been made for grant of anticipatory bail.
4. Opposing the petition(s), learned State counsel assisted by learned counsel for the complainant has submitted that since the petitioners are husband and mother-in-law of the complainant against whom specific allegations have been levelled in the FIR, no case for grant of bail is made out. Learned State counsel has however informed that although the petitioners had joined investigation once but subsequently did not turn up despite having been called by the police and are not cooperating with the investigation. Learned State counsel has thus prayed for dismissal of the petitions.
5. I have considered rival submissions addressed before this Court. The fact that the petitioners are not cooperating with the investigation of the case dis-entitle them for grant of the discretionary relief of anticipatory bail. Further a perusal of order dated 13.5.2019 passed

by learned Additional Sessions Judge, Chandigarh, shows that petitioner Gurdarshan Kaur had not even cooperated with the investigation when she was granted interim bail by the learned Additional Sessions Judge and did not turn up in the police station. In these circumstances, this Court finds that it is a case where custodial interrogation would be required to elicit material information. Both petitions are sans of any merit and are dismissed.

November 28, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No