

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

CRM-M-26551-2019 (O&M)

Date of Decision:- 5.9.2019

Sukhveer Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jagraj Singh Khiva, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab,
assisted by ASI Baljinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No. 55, dated 3.4.2019, registered at Police Station Baghapurana, District Moga, under Sections 498-A, 313, 323, 34 IPC.
2. The FIR was lodged at the instance of Kirandeep Kaur wherein it has been alleged that she was married to Sukhveer Singh (petitioner) on 26.11.2015 and that her parents had spent an amount of ₹15 lacs on

the marriage which was in fact much more than their capacity. It is alleged that as per demands of complainant's husband and other members of his family, various gifts including jewellery items etc. were given to them. However, the accused were not happy with the same and used to harass her to press upon their demands of more dowry and she was also given beatings for the same and was ultimately thrown out of her matrimonial home and that all her articles of *istridhan* have been retained by the accused. It has also been alleged therein that on one occasion when she was carrying pregnancy of about about 5 months, then accused namely her husband Sukhveer Singh, father-in-law Sarbjeet Singh, mother-in-law Manjit Kaur and Jasbir Singh, gave beatings to her and also gave kick blows in her abdomen and later the said accused along with other accused Gurmail Singh and Charanjit Kaur got her pregnancy aborted.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the entire allegations of demand of dowry and misappropriation of articles of *istridhan* as well as the allegations pertaining to the forcible miscarriage have all been cooked up to pressurize the petitioner and other members of his family.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and is complainant's husband, it was his prime responsibility to take care of his wife and that in these circumstances he does not deserve the

concession of anticipatory bail. It has however, been informed that the petitioner has since joined investigation. Upon a query made by this Court, learned State counsel upon instructions from ASI Baljinder Singh has informed that as on date there is no evidence with the police in respect of the alleged miscarriage of the complainant.

5. Having regard to the facts and circumstances of the case and while bearing in mind that the case has apparently arisen out of matrimonial discord and that the petitioner has already joined investigation, in my opinion it is not a case warranting custodial interrogation. The petition, as such, is accepted and interim directions issued vide order dated 20.6.2019 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. The present petition stands accepted accordingly.

September 5, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No