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

CRM-M-26912-2019 (O&M)
Date of Decision:- 29.10.2019

Surjit Singh … Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mayur Karkra, Advocate, for
Mr. Gaurav Gupta, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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GURVINDER SINGH GILL, J.

1. Petitioner-Surjit Singh (father-in-law of the complainant), seeks grant of anticipatory bail in a case registered vide FIR No.37, dated 2.5.2019, registered at Police Station Women, Patiala, District Patiala, under Sections 406, 498-A IPC.

2. The FIR was lodged at the instance of Mohan Kaur wherein it is alleged that her marriage was solemnized with Bhupinder Singh on 28.11.2004 and although dowry had been given at the time of marriage as per the status of the parties and as per demands having been raised but her husband, her father-in-law Surjit Singh (petitioner), her mother-in-law Jaswant Kaur and her sister-in-law

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Mandeep Kaur were not satisfied with the same and started harassing her in order to press upon their demands of dowry. It is alleged that she was also given beatings by the accused. It is alleged that her husband was residing in Dubai and had come to India in February, 2012 and after conspiring with his parents and sister started harassing her and she was given merciless beatings on 16.2.2012 as a result of which the collarbone of her right shoulder was also broken. It is alleged that after her husband left back for Dubai, her father-in-law even started harassing her sexually and attempted to outrage her modesty and upon her objecting to the same, allegations regarding her character were raised. It is alleged that even in the year 2018, when her husband came to India she was maltreated by the accused.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that all the allegations of demand of dowry etc. have been cooked up against all the members of family of complainant's husband simply in order to pressurise them. Learned counsel has further submitted that the complainant has even gone to the extent of raising allegations that the petitioner who is aged 70 years attempted to outrage modesty of the complainant.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and specific allegations have been levelled, no case for grant of bail is made out. It has however, been informed that the petitioner, pursuant to interim directions issued by this Court has since joined investigation.

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5. Having regard to the facts and circumstances of the case and while bearing in mind that the matter apparently seems to have arisen out of some matrimonial discord and also that the petitioner is aged about 70 years and has also joined investigation, custodial interrogation is not warranted. The petition, as such, is accepted and interim directions issued vide order dated 17.6.2019 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.

October 29, 2019 **(GURVINDER SINGH GILL)**
mohan **JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

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