

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

CRM-M-28852-2019 (O&M)
Date of Decision:- 30.10.2019

Sundeep Saggu ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kotla, Advocate, for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by ASI Binder Singh.

Ms. Rishma Verma, Advocate, for the complainant.

GURVINDER SINGH GILL, J.

1. Petitioner-Sundeep Saggu, seeks grant of anticipatory bail in a case registered vide FIR No.153, dated 22.6.2019, registered at Police Station Lehra, District Sangrur, under Sections 498-A, 406 IPC.
2. The FIR was lodged at the instance of Navreet Kaur Saggu wherein it has been alleged that her marriage was solemnized with petitioner-Sundeep Saggu on 11.3.2012. Her husband, her mother-in-law Prem Saggu, her father-in-law Jaivir Singh and Kiran Verma wife of Deepak Verma started harassing her physically and mentally and commented regarding her height and personality as well as regarding

other matters. It is alleged that although a complaint had been lodged with the police on 17.12.2018, but the matter was transferred to three different inquiry officers and she did not have any hope of justice. In her complaint, the complainant had alleged that although her parents had spent an amount of ₹15 lacs on her marriage and gold and diamond ornaments had been given to the accused apart from electronic articles and other gifts but the accused were not happy with the same and used to harass her for having brought less dowry. It is further alleged that she was even manhandled by the accused and was caused physical harm. It is alleged that while relenting to the persistent demands of the accused, her parents even gave a vehicle to the accused but greed of the accused continued. It is alleged that on 4.4.2017, her in-laws family poured hot oil on her face with an intention to kill her and on account of which she was taken to Safdergunj Hospital, New Delhi.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged by the complainant simply in order to settle scores on account of matrimonial discord between the complainant and the petitioner and that the entire allegations in respect of demand of dowry etc. against the family of the petitioner have been cooked up falsely. It has further been submitted that the FIR came to be lodged after about 7 years of the marriage, although the in-laws of complainant are alleged to have started harassing shortly after marriage which would show that the FIR is nothing but an abuse of process of law.

4. Opposing the petition, learned State counsel has submitted that since the petitioner is husband of the complainant and specific allegations of maltreatment have been levelled against him, 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.
5. Having regard to the facts and circumstances of the case and while noticing that the matter has apparently arisen out of matrimonial discord amongst the parties and that the petitioner has since joined investigation, custodial interrogation is not warranted. The petition, as such, is accepted and interim directions issued vide order dated 10.7.2019 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 amount of ₹1,00,000/- which the petitioner had been directed to deposit vide order dated 10.7.2019 by way of demand draft, is ordered to be released to the complainant 'unconditionally', if not already released.

October 30, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No