

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

CRM-M-33829-2019 (O&M)
Date of Decision:- 28.11.2019

Hira Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ajay Pal Singh Rehan, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab,
assisted by ASI Surjit Singh.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Hira Singh, seeks grant of anticipatory bail in a case registered vide FIR No.40, dated 2.6.2019, registered at Police Station Sekhwan, Police District Batala, District Gurdaspur, under Sections 498-A and 323 IPC.
2. The FIR was lodged at the instance of the complainant wherein it has been alleged that her marriage was solemnized with the petitioner on

20.3.2018 but her husband as well as her mother-in-law Kulwinder Kaur and father-in-law Kashmir Singh used to taunt her and give beatings and were demanding a big car and an amount of ₹5 lacs for sending the petitioner abroad.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on account of some matrimonial discord amongst the parties. It has been submitted that entire allegations in respect of demand of dowry have been cooked up simply in order to harass the petitioner.
4. Opposing the petition, learned State counsel has submitted that since specific allegations have been levelled in the FIR against the petitioner, no case for grant of bail is made out. It has however, been informed that the petitioner has since joined investigation.
5. During the course of arguments, upon a query made by this Court, learned counsel for the petitioner informed that the parties have been residing separately since October, 2018 and that no other proceedings for grant of maintenance have been initiated till date.
6. Having considered rival submissions addressed before this Court and bearing in mind that it is a matter which has apparently arisen out of the matrimonial discord wherein the petitioner is already stated to have joined investigation, custodial interrogation to my mind is not warranted. The petition, as such, is accepted and interim directions issued vide order dated 21.8.2019 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.

7. The petitioner shall however, pay an amount of ₹50,000/- to the complainant within one month from today, which may be paid to the complainant either by way of demand draft or be given to the complainant directly or be deposited in her bank account through RTGS or be deposited in the Trial Court with notice to the complainant, which in case of deposit, may be withdrawn by the complainant.

November 28, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No