

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

CRM-M-39822-2019 (O&M)
Date of Decision:- 4.12.2019

Sat Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Surinder Gaur, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana,
assisted by SI Rajender Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Sat Singh, seeks grant of anticipatory bail in a case registered vide FIR No.798, dated 5.8.2019, registered at Police Station City Thanesar, District Kurukshetra, under Sections 498-A, 406, 420, 506 IPC.
2. Mr. Rajiv Sidhu, Advocate has appeared on behalf of the complainant and filed power of attorney. The same is taken on record.
3. The FIR was lodged at the instance of Kamlesh wherein it has been alleged that she had earlier been married but had taken a panchayati divorce from her husband. Later she came in contact with the

petitioner who was running a clinic. It is alleged that the petitioner represented that his wife had expired and proposed marriage with the complainant. Ultimately the marriage between the complainant and the petitioner was solemnized on 15.2.2010 and thereafter they started residing together as husband and wife. The complainant has alleged that later the petitioner represented that he would buy a plot for the complainant so that a house may be built upon the same and being taken in by the said representation she paid an amount of ₹7 lakhs to the petitioner but the petitioner neither purchased any plot nor returned her money. It is further alleged that the petitioner later also took all of her jewellery and left the house and even switched off his phone. When she confronted him in his clinic, he threatened the complainant and stated that he has no relationship with the complainant.

4. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that even a perusal of the FIR would show that no offence under Section 498-A IPC would be attracted and that all other allegations have been cooked up falsely on account of some differences having cropped up between the petitioner and the complainant.
5. Opposing the petition, learned State counsel assisted by counsel for the complainant has submitted that since specific allegations against the petitioner having taken an amount of ₹7 lakhs from the complainant have been levelled which he did not return and nor

did he purchase any plot as had been represented by him, no case for grant of bail is made out.

6. I have considered rival submissions addressed before this Court. Bearing in mind the nature of allegations and also that the petitioner pursuant to interim directions issued by this Court has deposited an amount of ₹2 lakhs with the Illaqa Magistrate which has been converted into a FDR which as per order dated 18.9.2019 the successful party would be able to withdraw upon decision of the case and while noticing that the petitioner has since joined investigation, custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted and interim directions issued vide order dated 18.9.2019 are made absolute subject to the condition that the petitioner shall appear and join 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.

December 4, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No