

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

CRM-M-12309-2020 (O&M)  
Date of Decision:-9.9.2020

Gautam

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana assisted by  
SI Dharmi Devi.

Mr. Narinder Singh Dhillon, Advocate for the complainant.

*(proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.46 dated 3.3.2020 at Police Station Women, Bhiwani, District Bhiwani under Sections 323, 342, 406, 498-A, 506, 120-B, 419, 494 and 34 of Indian Penal Code, wherein offences under Sections 420, 467, 468, 376(2) of IPC were added later on.
2. The FIR was lodged at the instance of Manju, wherein she alleged that her marriage was solemnized with Mintu on 4.2.2020 and her parents had given dowry beyond their means and had spent an amount of about ₹20-22 lakhs for solemnization of her marriage. The aforesaid Mintu had disclosed that he

was serving Army and that he was owing 11 kilas of land, a plot measuring 200 Sq.Ft. and a house in Siwani and that his brother was a transporter in Delhi. It is alleged that aforesaid Mintu had represented that his parents namely Jaivir Baniyal and Santro are residing with his brother in Delhi. The complainant has further alleged that later after marriage she came to know that a fraud had been played upon her and that all the representations made by Mintu regarding his status and in respect of his parents etc. were false. It is also alleged that the accused had misappropriated all the articles given as dowry during marriage.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that none of the representations made by him were false and that he is indeed serving Army and that Mintu is his nick-name while his real name is Gautam. The learned counsel has further submitted that it is a case arising out of matrimonial discord wherein a false FIR has been lodged in order to pressurize the petitioner.
4. Opposing the petition, the learned State counsel assisted by learned counsel for the complainant, has submitted that in view of serious nature of allegations, no case for grant of bail is made out. The learned State counsel, upon instructions from SI Dharmi Devi, has however, informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case especially that the matter basically pertains to some matrimonial discord and that the petitioner, in any case, has joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued

by this Court vide order dated 14.5.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

**9.9.2020**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No