

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

206

CRM-M-22307-2019

Date of Decision:18.02.2020

Sohan Lal

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Dharam Bir Bhargav, Advocate,  
for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

Mr. Sanjeev Kumar Arora, Advocate,  
for respondent No.2.  
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**HARI PAL VERMA, J.(Oral)**

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.0049 dated 01.05.2019 under Section 498-A IPC, registered at Police Station Mahilpur, District Hoshiarpur.

The aforesaid FIR was registered at the behest of respondent No.2-Mehakpreet, whose marriage was solemnized with Balbir Singh Bagga(son of the petitioner) on 23.12.2016 and out of this wedlock, a daughter was born on 09.11.2017. The allegations against the petitioner and other co-accused, namely, Nirmal Kaur @ Nimo(mother-in-law), Jaswinder Singh @ Kala, brother-in-law(Jeth), Sunita Rani and Meena Rani(sisters-in-law) are that they started taunting the complainant for bringing less dowry.

Petitioner is father-in-law of respondent No.2-complainant.

On May 16, 2019, when the case was listed for hearing before this Court, learned counsel for the petitioner had submitted that the petitioner is ready to settle the dispute with the complainant and would call his son, who is living abroad i.e. Spain.

On July 11, 2019, learned counsel for the petitioner had informed this Court that Balbir Singh Bagga, who is husband of the complainant, is likely to come in India within 20 days. Thereafter, on 17.10.2019, this Court was made to believe that Balbir Singh Bagga, husband of the complainant, is likely to come in India in December, 2019.

On December 11, 2019, when the case was taken-up for hearing, learned counsel for the petitioner had informed that Balbir Singh Bagga, who is son of the petitioner, is likely to come to India in January, 2020. Considering the statement of the complainant that in the absence of her husband, it is difficult for her(complainant) to maintain herself, more particularly when she has a small daughter with her, learned counsel for the petitioner, on instructions from his client who was present on that day had made an offer to the complainant to stay in one room on the first floor of the matrimonial home and the petitioner was further directed to extend all required formalities on her joining the matrimonial home.

Parties are present in person today.

Learned counsel for the complainant submits that though the complainant had stayed in one room so provided, in terms of the order dated December 11, 2019, but she is not being given other expenses, which are necessary for the complainant.

Though, learned counsel for the petitioner has disputed the very objection so raised by the complainant. He states that the complainant

though has been provided one room on the first floor of the matrimonial home, but she is rarely visiting there and in December, 2019, she hardly stayed for 20 days in the provided accommodation.

However, learned counsel for the complainant states that the petitioner should pay some expenses to the complainant, so that she can survive with her minor daughter.

Faced with the situation, learned counsel for the petitioner, on instructions from his client who is present in the Court, states that the petitioner will pay a sum of ₹10,000/- to respondent No.2 towards her expenses. However, he submits that this arrangement of payment of ₹10,000/- should remain in force so long as Balbir Singh Bagga is not returned from abroad.

Learned counsel for the complainant has no objection to it.

Heard.

In view of the above, the present petition is allowed and the order dated May 16, 2019, whereby arrest of the petitioner was stayed, is hereby made absolute with the condition that the petitioner shall pay a sum of ₹10,000/- to respondent No.2 by 5<sup>th</sup> of every month and this amount would be deposited by the petitioner in her account. Respondent No.2 shall furnish her bank account details to the petitioner within a week from today. Since the amount of ₹10,000/- is granted, respondent No.2 shall not claim any residence or other expenses from the petitioner and this arrangement is only till her husband arrives to India.

**February 18, 2020**  
**seema**

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No