

**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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IN VIRTUAL COURT

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**CRM-M No. 29737 of 2020
Decided on: 25.9.2020**

Pardeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Naveen Bawa, Advocate, for the petitioner

Rajbir Sehrawat, J.(Oral)

The present petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 288 dated 30.8.2020, under Sections 406 and 498A IPC, registered at Police Station Phillaur, District Jalandhar Rural.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. Since it was a love marriage between the petitioner and the complainant, therefore, there is no question of dowry and consequently, of any harassment on account of demand of dowry. Still further, it is submitted that the problem has arisen only because of the behaviour of the complainant immediately after the marriage. Still further, it is submitted that the petitioner had detected the extra marital affair of the complainant and when she and her paramour were confronted with this situation, the complainant got infuriated and has lodged the present FIR. It is submitted that gold articles were already taken by the complainant when she left the house. There is no other case against the petitioner. The petitioner shall join the investigation. Therefore, the petitioner be protected against his arrest.

Notice of motion.

Mr. Hittan Nehra, Addl. AG, Punjab, accepts notice on behalf of

the State and Ms. Heena Verma, Advocate, has put in appearance on behalf of the complainant.

The counsel for the State, on instructions from SI Ranjana Devi, submits that there are specific allegations against the petitioner qua demand of dowry. Still further, it is submitted that the articles of alleged dowry are yet to be recovered in the case. The counsel has also pointed out that, in the first instance, the complainant had named four family members of the petitioner and others as the accused. However, during the enquiry three of them were found to be innocent. Hence, only the petitioner is being proceeded against in the present case.

It is submitted by the counsel for the complainant that the complainant was given beatings by the petitioner and his family members. It is also submitted by the counsel that even the petitioner is having an extra marital relation with a girl. The complainant was threatened even by the alleged girl friend of the petitioner. It is also submitted that the dowry articles are yet to be recovered from the petitioner.

Having considered the arguments of the respective counsel, this Court deems it appropriate to protect the petitioner against his arrest.

In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

25.9.2020

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No