

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 2120-2021 (O&M)
Date of Decision: 07.09.2021
(Heard through V.C.)

Kuldeep Singh alias Mithu

... Petitioner

VERSUS

State of Punjab

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. G. S. Verma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

Mr. Kunwar Ranjan, Advocate for the complainant.

JAISHREE THAKUR, J.(Oral)

This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No. 66 dated 20.11.2020 registered under Sections 406, 498-A, 506 IPC at Police Station Women, District Patiala.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the matter and he is ready and willing to join the investigation.

Notice of motion was issued and appearance had been caused on behalf of the complainant, who would submit that the FIR was registered at the behest of the wife of the petitioner. In the said FIR, it was stated that the marriage was solemnized between the parties on 17.02.2018

and the dowry was given beyond their capacity and few days after the marriage, the petitioner informed the complainant that he was under various debts and people were demanding their money back from him. The complainant then took a loan of Rs. 5 lacs from HDFC bank and gave it to her husband, which loan is being repaid by the complainant. It is further contended that her gold ornaments were also pledged without disclosing about that fact to the complainant. The complainant also took another loan of Rs. 5 lacs from IndusInd Bank and handed over the said amount to her husband, which loan is also being repaid by the complainant. Apart from that, an amount of Rs. 33,000/- was transferred into the account of the petitioner herein. Counsel for the complainant would submit that the complainant was pressurized continuously for money in order to settle the debts of the husband. It was also submitted that the entire *Istridhan* was lying with the petitioner and he also sought interim bail from the Court below on the pretext that he was willing to settle the dispute with the complainant and return her *Istridhan*, which statement was never complied with. It is further contended that while arguing for bail before this Court, learned counsel for the petitioner had prayed for the matter to be referred to the Mediation and Conciliation Centre of this Court and this Court had asked him to deposit a minimum of Rs. 3 lacs to show his bona-fides.

The matter was adjourned to 10.02.2021, on which date a short adjournment was sought. Thereafter the matter was taken up on 12.03.2021, on which date again time was sought to get the necessary instructions. Thereafter the matter could not be taken up on account of COVID-19 pandemic and after almost one and a half year, the matter is taken up today.

Today learned counsel for the petitioner pleads no instructions in the matter and submits that the petitioner has not complied with order date 15.01.2021, by which he was asked to deposit Rs. 03 lacs to show his bona-fides.

I have heard learned counsel for the parties and perused the paper book.

The FIR was registered at the behest of the complainant, alleging that she was being pressurized to bring money, so that the debts of the petitioner husband could be met. In this regard, she had already availed of loan from two different banks and is paying installments thereon. Despite these loans, it is alleged that the *Istridhan*/ gold of the complainant has already been pledged and loan had been raised against the same. Consequently, in view of the fact that the allegations are serious in nature and the custodial interrogation of the petitioner would be required, I, find no ground to entertain this petition.

Petition is dismissed accordingly.

07.09. 2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No