

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.208

CRM-M-22342-2020

Date of decision: 19.04.2021

Sanjeev Saini

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Munish Puri, Advocate,
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Arvind Kashyap, Advocate
for the complainant.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.111 dated 08.06.2020 registered under Sections 498-A, 406 IPC at Police Station Sadar Pathankot, District Pathankot.

Briefly stated, the case of the prosecution is that the petitioner and the complainant got married on 09.02.2019; at the time of their marriage the complainant's family had spent Rs.8,50,000/- as also had given sufficient dowry; thereafter, the petitioner and his family members started harassing the complainant for bringing less dowry; they also demanded a car and that on 18.10.2019, the complainant was beaten and thrown out of her matrimonial home.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case on account of marital discord between the petitioner and the complainant; there is no other criminal case in which the petitioner is involved; there is no medical evidence to support the allegations of cruelty/beatings; even if the allegations in the FIR are taken as the gospel truth, though vehemently denied, the same are vague; no specific instance of alleged harassment, beatings or demand of dowry is forthcoming from the FIR; all the admitted articles of dowry have been

returned by the petitioner and that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully cooperated with the investigating agency.

Learned State counsel as also counsel for the complainant oppose the grant of bail to the petitioner on the ground that certain articles of dowry still remain to be recovered from the petitioner.

Whether the petitioner has been falsely implicated in the case on account of marital discord between him and the complainant would be deciphered during the course of the petitioner's trial. However, the petitioner does not have criminal antecedents; he has joined the investigation and returned the admitted articles of dowry; the articles of dowry which have allegedly not been returned by the petitioner are denied to have been received by the petitioner/his family members and therefore this fact would also be decided during the course of the petitioner's trial.

In view of the above, in the considered view of this Court custodial interrogation is not required. Resultantly, the order of this Court dated 11.08.2020, granting ad interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

April 19, 2021
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No