

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(Heard through VC)**

**CRM-M- 29122 of 2021 (O&M)
Date of Decision: 27.7.2021**

Amar Bhagat @ Amar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashwani Nagra, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

Mr. Vishal Thakur, Advocate,
for the complainant.

JAISHREE THAKUR, J.

This is a petition that has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No. 59 dated 14.6.2021 registered under Sections 406, 498-A IPC at Police Station Women Cell, Ludhiana, District Ludhiana.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the instant FIR. In fact, the marriage between the petitioner and the complainant was solemnized on 8.11.2019 and the marriage was a simple one with no exchange of dowry articles between the parties. It is argued that the allegations of the complainant that an amount of ₹10 lakh was spent on the marriage, apart from giving dowry articles are not supported by an iota of evidence. Both the parties lived together harmoniously and no complaint has been filed by

the complainant during this period nor was there any allegation of harassment or beating for dowry. It is submitted that the complainant could not adjust herself in the matrimonial home. It is further contended that in fact the petitioner had got lodged a complaint against the complainant as far back as 3rd May, 2020 regarding her conduct while refusing to join the matrimonial home.

Appearance has been caused on behalf of the complainant as well as the State. It is submitted that there are specific allegations in the FIR that the petitioner started taunting and harassing the complainant as she could not fulfill the demand of ₹5 lakh. It is argued that the petitioner herein mentally and physically harassed the complainant for dowry, apart from that she was not given proper meals, despite the fact that she was pregnant nor did the petitioner give any money to her for bringing ration. It is further submitted that the matter was reported to the police, who tried to effect a compromise between the parties, however, the petitioner continued to harass the complainant. In fact, two DDRs came to be registered on the night on 15th and 21st May, 2020 regarding physical abuses meted out to the complainant and the petitioner herein had left the complainant to fend for herself.

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

As per the allegations made in the FIR, the petitioner herein used to harass and beat the complainant for bringing less dowry and subjected her to ill treatment. The matter was allegedly compromised between the parties, however, the petitioner did not adhere to the terms of

the compromise. This fact itself shows the reluctance of the petitioner to keep the complainant with his company. Under these circumstances, once custodial interrogation of the petitioner is required for a result oriented investigation, this court is not inclined to grant anticipatory bail to the petitioner.

In view of the above, the instant petition is hereby dismissed. However, it is made clear that any observations made herein above have been made only for the purpose of disposal of this petition, which shall have no bearing on the merit of the case.

27.7.2021
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No