

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-27166-2020 (O&M)
Date of Decision:- 22.1.2021

Ramanpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.N.Ganeriwala, Advocate, for the petitioner.

Mr. H.S.Multani, AAG, Punjab,
assisted by ASI Bhagat Ram.

Mr. Shekhar Verma, Advocate, for the complainant.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.250, dated 26.7.2020, Police Station Sohana, District SAS Nagar, Under Sections 498-A, 406 IPC.
2. The FIR in question was lodged at the instance of Simmy, wherein it has been alleged that her marriage with petitioner Ramanpreet Singh was solemnized on 2.3.2018 at Gurdaspur as per Sikh Rites and

Rituals. The complainant has stated that she had met Ramanpreet Singh through a common friend and subsequently they had married with the consent of both the families and that after marriage they stayed for a short while at the house of her inlaws and thereafter started residing at Mohali. It is alleged that as per demand of his inlaws family her father had spent an amount much more than his capacity on the marriage and had given gifts and gold jewellery to her inlaws and also to their friends. It is alleged that her family had spent an amount of ₹6 lakhs on the marriage including gold ornaments and on the asking of the petitioner Ramanpreet Singh she had even given a Breeza Car out of her own earning and she had been paying installments in respect of the same. However, right from the day of her marriage, her husband, her mother-in-law, her father-in-law and sister-in-law kept on taunting her for not having brought sufficient gifts and that the articles given were not as per their standards and she also used to be given beatings by her husband who used to pick up quarrels on small petty matters. It is alleged that in October 2019 when she was pregnant, she was forcibly made to terminate her pregnancy. Thereafter she was pressurized to pay an amount of Rs.4 lakhs. It is alleged that on 25.4.2020 she was thrown out of her matrimonial house after having been given beatings and that her husband fled away after taking all the household articles and the jewellery.

3. Learned counsel for the petitioner has submitted that false allegations have been leveled against the petitioner and other members of his

family as the complainant herself could not adjust in the matrimonial home. Learned counsel in order to show that his conduct had been for maintaining a cordial relationship has drawn the attention of this Court to some of the WhatsApp conversation which has been annexed as Annexure P-5 and also to some photographs which have been annexed with the petition as Annexure P-7.

4. Learned counsel for the petitioner has further submitted that infact it is a case where the complainant had initially submitted a complaint to the SSP Gurdaspur regarding torture, cruelty and harassment and allegations regarding demand of dowry were also made and that upon inquiry of the said matter the allegations were not found to be substantiated and rather a FIR under Section 420 IPC (Annexure P-2) was lodged against the complainant as she had concealed the factum of her previous marriage. It has been submitted that the instant FIR was lodged subsequently as a counter blast to the FIR No.76, dated 19.7.2020 (Annexure P-2).
5. Opposing the petition, learned State counsel assisted by counsel for the complainant has submitted that it is a case where specific and categoric allegations have been levelled against the petitioner which are duly substantiated from the fact that various amounts had been transferred by the complainant towards payment of installment of car loan and that there are certain other withdrawals also which clearly shows that complainant was being forced to pay huge amounts and that as such no case for grant of anticipatory bail is made out.
6. I have considered rival submissions addressed before this Court.

7. A perusal of the FIR in the instant case and also the FIR (Annexure P-2) would show that it is basically a case of matrimonial discord wherein both the parties have lodged criminal cases against each other. It will be only after the entire evidence is led that the veracity of the allegations can be established. In any case, the allegations are not such which would require custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 10.9.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

January 22, 2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No