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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48093-2021

Date of Decision: December 15, 2021

Pawan Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Dr.Sumati Jund, Advocate for the petitioner.

Mr.Rakeshinder Singh Sidhu, AAG, Punjab.

Mr.Ritesh Pandey, Advocate for the complainant.

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RAJESH BHARDWAJ, J.

Instant 2nd petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.103, dated 08.10.2019, under Sections 498-A, 406, 323 and 34 IPC, registered at Police Station Kalanaur, District Gurdaspur.

The FIR was lodged by the complainant -Anita Kumari wherein it was alleged that her marriage was solemnized with the petitioner-Pawan Kumar, two years ago. At the time of marriage her parents gave enough dowry as per their capacity, however, her in-laws were not satisfied with the same and on account of the same, they started harassing the complainant. Her husband, who is working in RPF as Constable used to beat her. They kept on torturing her physically and mentally. Though the matter was reconciled in the Women Cell, however, harassment started again. On 06.06.2019, on the asking of her husband and other in-laws, she was turned

out of the matrimonial home. Having no other alternative, the complainant approached the police and lodged the present FIR for taking the legal action against the accused. The petitioner, who is husband of the complainant, applied for grant of anticipatory bail before the learned Additional Sessions Judge, Gurdaspur, who heard both the parties and dismissed the same vide its order dated 18.12.2019. Aggrieved with the same, the petitioner approached this Court and filed CRM-M-3591-2020 in which vide order dated 28.01.2020, the parties were directed to appear before the Mediation and Conciliation Centre. The arrest of the petitioner was also stayed. However, Mediation and Conciliation Centre, Gurdaspur, sent its report wherein it was stated that the petitioner Pawan Kumar did not appear before the Mediation Centre on 08.09.2021, 28.09.2021, 19.10.2021, 26.10.2021 and 28.10.2021 and hence the mediation remained unsuccessful. This Court appreciated the report sent by the Mediation and Conciliation Centre and the other attending circumstances which would sufficient enough to conclude that the petitioner had shown no respect and regard towards the interim order granted by this Court enabling him to appear before the Mediation Centre. Resultantly, the petition was dismissed vide order dated 02.11.2021.

This is the second petition filed for grant of anticipatory bail by the petitioner. Counsel for the petitioner tried to justify the absence of the petitioner on the dates mentioned by the Mediation Centre. However, this Court cannot loose sight of the fact that arrest of the petitioner was stayed on 28.01.2020 and in almost two years of the time thereafter, the petitioner showed no interest for compliance of the order of this Court and hence, his earlier petition was dismissed. Even otherwise, the successive petition for

Court in G.R.Ananda Babu vs The State of Tamil Nadu and another,

SLP (Crl.) 213 of 2021.

In view of the same, I find no ground to interfere in the petition
and the same being devoid of any merit is hereby dismissed.

December 15, 2021

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No