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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52241 -2021

Date of Decision: December 15, 2021

Dharam Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.G.S.Thind, Advocate for the petitioners.

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RAJESH BHARDWAJ, J.

Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioners in case FIR No.80, dated 19.10.2021, under Sections 406, 498-A, 323 IPC, registered at Police Station Women Cell, District Patiala.

The present FIR is lodged by the complainant -Ajaib Singh wherein it is alleged that marriage of his daughter Parveen Kaur was solemnized on 10.02.2019 with Gurpreet Singh. He gave enough dowry as per his capacity and Rs.3.00 lacs were given for car. However, after the marriage, his son-in-law, his father, mother and sister started harassing and beating his daughter for bringing less dowry. They started taunting his daughter and thus left no stone unturned in causing mental and physical harassment to his daughter. She was beaten by her in-law time and again. On 11.08.2020, both the parties were called to Police Station Ghanour. The complainant was narrating the case to SI Balbir Kaur, where the in-laws of her daughter got angry and started beating the complainant and his daughter

in government room. The incident was recorded in the CCTV camera installed in the police station. The FIR was lodged for taking the action against the culprits. The petitioners approached the learned Additional Sessions Judge, Patiala, who after hearing both the parties declined the same vide separate orders dated 25.11.2021 and 01.12.2021. Aggrieved by the same, the petitioners have approached this Court praying for grant of anticipatory bail.

Counsel for the petitioners contends that the petitioners are falsely implicated in this FIR. He submits that there are no specific allegations of commission of cruelty by the applicants. He has further submitted that there are no other specific allegation against the petitioners, hence, no case for custodial interrogation is made out and thus, they deserve to be enlarged on anticipatory bail.

Heard.

The marriage in question took place on 10.02.2019. The allegations against the petitioners are not only qua causing harassment caused to the daughter of the complainant but time and again beating are also there. On the night of 17.02.2020, the daughter of the complainant was beaten by her husband, father-in-law, mother-in-law and sister-in-law. Her condition deteriorated and she was taken to AP Jain Civil Hospital, Rajpura on 20.02.2020. Again on 11.08.2020, the parties were called in Police Station Ghanour regarding their dispute and there also the complainant and his daughter were beaten up by the petitioners. They were taken to Civil Hospital, Ghanour where they were referred to Rajindra Hospital, Patiala. MLR dated 20.02.2020 qua Parveen Kaur showed that she was taken to the hospital with history of assault and had complained of pain in various parts

of her body. There is another MLR dated 11.08.2020 qua Parveen Kaur issued by CHC Ghanaur, Patiala.

From the overall facts and circumstances, it is apparent that conduct of the petitioners does not entitle them for grant of extraordinary relief of anticipatory bail. The grant of anticipatory bail is an extraordinary jurisdiction and the facts and circumstances of the present case do not qualify the petitioners on the parameters laid down by catena of judicial precedents.

Hence, the petition being devoid of any merit is hereby dismissed.

December 15, 2021
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(RAJESH BHARDWAJ)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No