

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

205

**CRM-M-5907-2020
Decided on : 07.02.2022**

Sanjeev Kumar Kaushal

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. K.S. Bal, Advocate
for the petitioner(s).

Mr. Hittan Nehra, Addl. AG, Punjab
assisted by ASI Sukhdev Singh.

Mr. Yogesh Goel, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 03, dated 10.01.2020, lodged under Sections 406, 498-A of IPC, registered at Police Station Women, Ludhiana, District Police Commissionerate, Ludhiana, Punjab (annexed as Annexure P-1).

As per report received from the Mediation and Conciliation Centre of this Court, the parties have failed to arrive at an amicable settlement.

Learned counsel for the petitioner has drawn the attention of this Court to an affidavit dated 30.08.2004 (annexed as Annexure P-3) to urge that both the petitioner as well as his wife while moving out from the

house of petitioner's parents, had deposed therein that all the articles including jewellery, clothes etc. given by the parents of the complainant as well as the parents of the petitioner had been received and thereafter, they would have no claim or connection of any kind against the parents and other family members of the petitioner.

Learned counsel for the petitioner has submitted that it is 14 years thereafter, the FIR in question came to be registered, wherein the complainant came up with all kinds of frivolous and false allegations against not only the petitioner but his other family members as well including allegations of physical and mental harassment on account of dowry demand as well as mis-appropriation of her dowry, which had been given to her at the time of marriage.

Learned counsel for the petitioner has further submitted that after the complainant on 30.08.2004 alongwith her husband i.e. the petitioner moved out into an independent house, their marriage ran into rough weather.

Learned counsel further submits that pursuant to order dated 02nd November, 2021, passed by this Court, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel assisted by learned counsel for the complainant, does not dispute the factum of the petitioner having joined investigation. He on further instructions submits that since the petitioner has joined investigation, his further investigation, much less, custodial interrogation is not required.

However, learned counsel for the complainant has opposed the grant of anticipatory bail to the petitioner by reiterating the allegations

levelled against him in the FIR in question.

Heard.

In view of the above, the petition is allowed and interim order dated 02nd November, 2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 07, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*