

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

(205)

CRM-M-8329-2022.  
Date of Decision:-27.05.2022.

Rajat Sood

.....Petitioner

Versus

State of U.T., Chandigarh and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

\*\*\*\*

Present: Mr. Arnav Sood, Advocate for the petitioner.

Mr. Sumit Jain, Addl. P.P., U.T., Chandigarh.

Mr. Mohit Garg, Advocate for respondent No.2-complainant.

\*\*\*\*

**PANKAJ JAIN, J. (Oral)**

By way of the present petition, the petitioner is seeking pre-arrest bail in FIR No.0015 dated 13.01.2022 under Sections 406 and 498-A of IPC, registered at Women Police Station, Chandigarh.

On 25.02.2022, petitioner was granted interim protection and the parties were directed to appear before the Mediation and Conciliation Centre of this Court. Parties are *ad idem* that the mediation and conciliation proceedings between them have failed. The same has also been so recorded by the Mediation and Conciliation Centre vide its report dated 16.05.2022.

On request made by counsel for the petitioner, the matter has been heard on merits.

Counsel for the petitioner contends that the petitioner as well

CRM-M-8329-2022

as the complainant were in relationship prior to their marriage. In fact on 27.05.2015, when their marriage was solemnized, none of the family members participated and, thus, it is not a case wherein any dowry articles have been exchanged during the marriage. Further, he contends that the FIR has been registered on false allegation. To substantiate his arguments, he has drawn attention of this Court to the allegations whereby it has been alleged that the car was purchased by the complainant and it was she who was paying for the installments thereof. In order to controvert the same, he relies upon the Bank account statement of the petitioner to contend that it was the petitioner who was paying EMI amounting to Rs.6205/- per month for the said car. He further submits that even the incident of 08.10.2019 alleged in the FIR has been belied by FIR dated 10.10.2019 which relates to the same incident and has been appended as Annexure P-3 to the present petition. He further relies upon Annexure P-2 to contend that respondent No.2 tried to commit suicide on 10.05.2019 and it was the petitioner who took her to the diagnostic centre for medical help and, thus, he claims that neither offence under Section 406 nor Section 498-A IPC is made out against the petitioner.

Per contra learned counsel for the State of U.T., Chandigarh, submits that even though the petitioner has joined the investigation but he is not co-operating and none of the dowry articles, as mentioned in the FIR, could be recovered from the petitioner.

Counsel for respondent No.2 submits that there is a series of allegation in the FIR showing entrustment of dowry articles to the petitioner as well as his family members and the articles which have been mentioned

CRM-M-8329-2022

in the FIR have been procured by purchase against the bills and all the bills have been submitted to the investigating authority.

I have heard the learned counsel for the parties and gone through the records of the case.

There is no denial to the fact that initially marriage was a love marriage, however, later on both the family members re-conciled to the same and in fact even as per the petitioner, certain articles including gold ornaments were exchanged between the families. Thus, it cannot be said that it was a marriage without there being exchange of any dowry articles. It seems to be a case where the petitioner after getting interim protection from this Court has become incorrigible and is not even co-operating with the investigation. None of the dowry articles could be recovered.

Without commenting on the merits of the case, the petitioner is held not entitled for concession of pre-arrest bail.

Petition stands disposed off accordingly.

**(PANKAJ JAIN)**  
**JUDGE**

**May 27, 2022.**

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No