

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

203

CRM-M-11705-2021 (O&M)

Date of Decision: 21.11.2022

ARVINDER SINGH UBHI

...Petitioner

Versus

STATE OF PUNJAB AND ANR

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ajay Chauhan, Advocate for
Mr. Diwan S. Adlakha, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Monty Goyal, Advocate
for respondent No.2.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks cancellation of anticipatory bail granted to respondent No.2 by the learned Additional Sessions Judge, Ludhiana, vide order dated 18.02.2021 in FIR No.151 dated 24.12.2020, registered under Sections 420 and 120-B IPC, at Police Station Doraha, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner is 10th pass and respondent No.2 is highly qualified having Masters of Commerce (M.com); that on 14.07.2019, marriage of the petitioner with respondent No.2 was solemnized; that respondent No.2 had secured 6 bands in ILETS and was in the process of settling abroad and that vide impugned order, anticipatory bail was granted to respondent No.2 without considering the fact that the petitioner has been cheated to the

tune of Rs.14,35,000/- by respondent No.2 and her family members, on the pretext of sending him abroad, after his marriage with respondent No.2. He further submits that in the month of March., 2020, Tejwant Singh and Manjit Kaur (son and daughter of the uncle of the father of the petitioner) came to India and had assured the petitioner of his visit abroad along with respondent No.2.

On the other hand, while opposing the prayer for cancellation of bail, learned counsel for respondent No.2 submits that the learned Court below, after appreciating the entire material on record, had granted the interim protection to respondent No.2 on 19.01.2021, pursuant to which she joined the investigation and accordingly, the anticipatory bail granted to respondent No.2 was made absolute on 18.02.2021. Still further, it is submitted that till today respondent No.2 has never misused the concession of ad-interim bail granted to her.

Learned State counsel on the instructions from the concerned Investigating Officer has also argued on the lines of the learned counsel for respondent No.2.

I have heard the learned counsel for the parties.

Admittedly, the marriage of the petitioner with respondent No.2 was solemnized on 14.07.2019. However, due to some dispute between the parties, the FIR in question was got registered at the instance of the petitioner. Respondent No.2 was granted interim protection way back on 19.01.2021 and since she had joined the investigation, the order granting anticipatory bail was made absolute on 18.02.2021.

Learned counsel for the petitioner is not able to show/place anything on record to suggest that respondent No.2, in any manner, has misused the concession of anticipatory bail granted to her. Above all, the money in dispute, as alleged by the petitioner, was spent by a husband on his wife and that too to secure their own future.

In view of the above, no ground is made out to cancel the anticipatory bail granted to respondent No.2.

Dismissed.

21.11.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No