

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M- 11955-2022 (O&M)

Date of Decision: 16.05.2022

Kuber Pahwa

...Petitioner

Vs.

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Aman Arora, Advocate and
Mr. Mandeep Singla, Advocate for the petitioner.

Mr. Deepinder Brar, APP, U.T., Chandigarh.

Mr. N.S. Sekhawat, Sr. Advocate with
Mr. Devender Rattan, Advocate,
Mr. M.S. Jandiala, Advocate and
Mr. Ashwani Bhardwaj, Advocate for the complainant.

RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.18 dated 29.01.2022, under Sections 354, 406, 498-A, 376-B, 377 and 506 of IPC, registered at Police Station Women Cell, Sector 17, Chandigarh.

The FIR in the present case has been lodged by Mannat Khosla-complainant. The sum and substance of the allegations leveled in the FIR is that marriage of the complainant was solemnized with the petitioner on 10.11.2019. The parents of the complainant spent a huge amount on the marriage of the complainant and gave sufficient dowry articles.

Ultimately matrimonial discord started and the complainant leveled so many allegations of her harassment by the petitioner and his family members.

At the outset, learned Sr. counsel for the petitioner submits that the petitioner has been falsely implicated in this FIR. He submits that dispute basically arose due to temperamental differences of the parties. He submits that the present FIR was lodged by the complainant-Mannat Khosla, on the basis of various allegations. He submits that however, during the pendency of the same both the parties have amicably resolved the dispute and have decided to part ways. He submits that the petitioner is behind bars since 09.02.2022 and even investigation also stands completed. He further submits that the petitioner has no criminal antecedents and he has never been involved in any of the offences. Hence further incarceration of the petitioner is totally unwarranted.

Learned Sr. counsel for the complainant has also affirmed the submissions made by learned Sr. counsel for the petitioner. He submits that the parties have settled their disputes amicably and the petition under Section 13-B of Hindu Marriage Act has also been filed, which is pending adjudication.

Learned Sr. counsel for the petitioner has handed over a draft i.e. DD No.324844 dated 20.04.2022 of Rs.25,00,000/- (Rs.25 Lac) in favour of Mannat Khosla, as per the agreement arrived at between parties and the same has been accepted by learned Sr. Counsel for the complainant.

Learned State counsel submits that the investigation already stands completed and the challan is already presented. He also affirms the fact that there is nothing on record to show that the petitioner has been involved in any other offences.

After hearing the parties and perusal of the record, this Court finds that the present case arose from the matrimonial discord and the same is already resolved by the parties amicably.

In the overall facts and circumstances of the case, this Court finds that learned counsel for the petitioner has succeeded in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

16.05.2022
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No