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

**CRM-M-22930-2021
Date of Decision: 10.05.2022**

Mohinder Singh Petitioner

Versus

State of Punjab Respondent

CRM-M-22936-2021

Parminder Kaur Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jatinder Pal Singh, Advocate,
for the petitioner (in both cases).

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Tarun Jhatta, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

Both the petitions have been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioners and the same are taken up together for final disposal with the consent of the learned counsel for the petitioners, since both the petitions arise out of the same FIR bearing No.63 dated 28.04.2021, under Sections 420 & 120-B of the IPC, registered at Police Station Dharamkot, District Moga.

The petitioner-Mohinder Singh (in CRM-M-22930-2021) is

the husband of the petitioner-Parminder Kaur (in CRM-M-22936-2021). As per the allegations in the FIR, both the petitioners, who are parents of the girl, namely, Ramandeep Kaur and she was married with the son of the complainant. As per the allegations, the aforesaid girl, who is the daughter of the petitioners was to go abroad and various other terms and conditions were made at the time of marriage. Thereafter, the relations turned sour and dispute arose with regard to expenditure in the marriage etc. and in this way allegations were made by the father of the son-in-law of the petitioner that he has spent Rs.31 lacs on the marriage so that his son could go abroad but the same could not happen, and therefore, the present FIR has been lodged.

Learned counsel for the petitioner in both the cases, in pursuance of the orders passed by this Court on 11.06.2021 in both the petitions, the petitioners have joined investigation and they have fully cooperated in the investigation process and therefore, has prayed that the interim order may be made absolute. He further submitted that both the petitioners are old age person.

Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab, has stated on instructions from A.S.I. Charan Singh, that in pursuance of the order passed by this Court on 11.06.2021, both the petitioners have joined investigation. He however raised an objection that the amount has not been recovered from the petitioners.

Mr. Tarun Jhatta, Advocate, has caused appearance on behalf of the complainant.

I have heard the learned counsel for the parties.

In pursuance of the order passed by this Court on 11.06.2021,

both the petitioners have joined investigation as per the learned State counsel. The only objection which has been raised by learned State counsel is that the amount has not been recovered. However, this Court is of the view that such kind of objection is not sustainable for the purpose of grant of anticipatory bail since the Police cannot be a recovery agent. Even otherwise also, it appears to be a matrimonial dispute between the daughter of the petitioners and her husband and the allegations were that the husband of the daughter of the petitioners wanted to go abroad as well and the same could not happen, and thereafter, matrimonial dispute arose.

In view of the above, this Court is of the view that it is a fit case for the grant of anticipatory bail to the petitioners, consequently both the petitions are allowed and the order dated 11.06.2021 is hereby made absolute.

10.05.2022*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |