

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

CRM-M No.26282 of 2022

Date of Decision: 23rd September, 2022.

Tej Pal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present :- Ms. Gurvir Kaur, Advcoate,
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. Ankur Sharma, Advocate,
for the informant-complainant.

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MEENAKSHI I. MEHTA, J.(ORAL)

The petitioner herein has sought the relief of anticipatory/
pre-arrest bail in the criminal case arisen out of the FIR bearing No.0009
dated 07.04.2022 registered at Police Station NRI, District S.A.S. Nagar,
under Section 420 IPC.

2. Bereft of unnecessary details, the allegations, as levelled by
the informant named Harpreet Kaur in the subject FIR, are that the
petitioner had married her on 22.10.2019 while representing himself to be
unmarried but however, subsequently, she came to know that prior to their
marriage, he had solemnized marriage twice, firstly with Gurpreet Kaur

and thereafter, with Garima Singh. The petitioner and his co-accused Poonam and Simranjeet Kaur, his sister and mother respectively, had retained her (informant's) dowry articles and had also taken the total amount of Rs.6.5 lac from her on two occasions.

3. Status-report filed on behalf of the respondent-State, by way of the affidavit of the Deputy Superintendent of Police, N.R.I Wing, District S.A.S. Nagar (Mohali), has been submitted in the Court today and the same is taken on the record.

4. Reply filed on behalf of the informant-complainant, along-with Annexures R-1 to R-6, is already available on the file.

5. I have heard learned counsel for the petitioner as well as learned State counsel (assisted by learned counsel for the informant-complainant) in this petition and have also perused the file carefully.

6. Learned counsel for the petitioner contends that the petitioner had sought and was granted divorce from his wife named Garima Singh and he had not concealed the said fact from the informant or her family members at the time of marrying her (informant) and thus, he has been falsely implicated in the instant case and in these circumstances, he deserves the relief as prayed for in this petition.

7. Per-contra, learned State counsel argues that the petitioner had already married twice before marrying the informant and he hasn't yet taken the divorce from his first wife and he had concealed this fact at the time of marrying the informant and the offence under Section 494 IPC has also been invoked in the FIR later-on and keeping in view the nature of the

offence committed by the petitioner, the present petition be dismissed.

8. It is worth-while to mention here that vide the order dated 13.06.2022, the Co-ordinate Bench had granted the relief of interim bail to the petitioner and had directed him to join in the investigation and it has categorically been deposed in Para No.7 of the status-report that during his interrogation, the petitioner had disclosed that Gurpreet Kaur was his first wife and Garima Singh was his second wife and the informant is his third wife and that he had not divorced his first wife.

9. Further, Annexure R-1 is the copy of the FIR bearing No.20 dated 30.01.2015, registered at the instance of afore-said Garima Singh, at Police Station Sadar Amritsar under Sections 342, 323, 498 and 495 IPC. Though, Annexure R-3 (Colly) is the copy of the judgment and decree dated 04.01.2017 passed by learned District Judge, Kangra at Dharamshala, in the petition preferred by her (Garima Singh) to seek the annulment of her marriage with the petitioner but however, the fact remains that at this stage, no material is available on the file to show the dissolution of the marriage of the petitioner and his above-named first wife (Gurpreet Kaur). To add to it, Annexure R-4 is the copy of the marriage-certificate in respect of the marriage solemnized by the petitioner with the informant wherein he has disclosed his marital status as '*unmarried*' and has, thus, concealed the factum of his afore-said two previous marriages therein.

10. Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that he (petitioner)

does not deserve the relief of anticipatory/pre-arrest bail. Resultantly, the present petition stands dismissed.

23.09.2022
seema

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>