

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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(Through Video Conferencing)

CRM-M-38689 of 2021
Date of Decision:21.01.2022

Manmeet Singh

---Petitioner

versus

State of U.T.Chandigarh

---Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. G.B.S.Dhillon, Advocate
for the petitioner

Mr. Y.S.Rathore, APP for UT Chandigarh assisted by
Mr. Sumit Dua, Advocate
for the complainant

MANJARI NEHRU KAUL, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.0058 dated 3.9.2021 under Sections 323, 406, 498A IPC 1860 registered at Police Station Women Police Station, Chandigarh.

Learned counsel for the petitioner submits that it is essentially on account of some trivial differences between the parties, the FIR in question got registered by the complainant against her husband i.e., the petitioner, wherein, false allegations were levelled against him. Learned counsel submits that there had been some disagreement between the spouses i.e., the petitioner and complainant with regard to the upbringing of their children. Thereafter, on the assurance given by the petitioner, a compromise was also arrived at between the parties annexed as Annexure P-2. He further submits that subsequent to the registration of the FIR, it was only in her supplementary statement that too which was recorded after 2 months, the complainant gave details about the physical and mental harassment that was being meted out to her, which clearly was indicative of fabricated

allegations having been levelled by the complainant against the petitioner and others. Still further submits that false allegations of harassment were levelled even against the parents of the petitioner, who have since been extended the concession of interim bail by this Court vide order dated 14th September 2020.

Learned counsel for the petitioner submits that in compliance of order dated 20.9.2021, the petitioner has joined the investigation and co-operated with the investigating agency.

Learned State counsel assisted by counsel for the complainant, does not dispute the factum of the petitioner having joined the investigation. However, he submits that recovery of some of the dowry articles of the complainant has not been effected. When a pointed query was put to the learned State counsel as to what was the specific demand made and dowry entrusted to the petitioner, he failed to show any such demand, much less, entrustment being reflected in the FIR in question. However, he did submit that it was in the supplementary statement made by the complainant, she alleged that the petitioner had made a demand and had been given Rs. 10.00 lakh in cash.

I have heard counsel for the parties.

Since the petitioner has joined investigation and cooperated with the investigating agency, the petition is allowed and interim order dated 20.09.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

21.01.2022
PARAMJIT

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No