

**CRM M-36633 of 2019 (O&M)**  
**Date of Decision: April 29, 2022**

## Versus

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Mr. Dilpreet Gandhi, Advocate  
for the petitioners in CRM M-7986 of 2019, CRM M-

6939 of 2019 and CRM M-5333 of 2019.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. H.S. Randhawa, Advocate  
for respondent No. 2.

**FATEH DEEP SINGH, J. (Oral)**

The above detailed anticipatory bail applications (CRM M-7986 of 2019 titled as **Rahul Sapra Vs. State of Punjab**, CRM-M 6939 of 2019 titled as **Maya Devi and another Vs. State of Punjab** and CRM M-5333 of 2019 titled as **Rakesh Sapra and another Vs. State of Punjab**) under Sections 438 Cr.P.C. moved in FIR No. 83 dated 25.12.2018 under Sections 419, 420, 465, 468, 471 and 120-B IPC registered at Police Station Women Cell, Amritsar and a petition under Section 439(2) Cr.P.C. seeking cancellation of anticipatory bail of Rahul Sapra granted by this Court in CRM M-3859 of 2019 in case FIR No. 82 dated 25.12.2018 under Section 406/498-A of IPC registered at Police Station Women Cell, Amritsar between the same very parties and are being taken up and disposed off together.

On the allegations of Ritika Arora @ Gitika wife of

Rahul Sapra daughter of Rakesh Kumar the present FIR was got registered.

The brief allegations were that marriage between complainant Ritika with Rahul Sapra took place on 22.04.2015 and out of this wedlock a daughter, namely, Devanshi was born to the couple on 11.03.2016. The wife alleges that her parents had given sufficient dowry articles at the time of marriage and had detailed the same in her complaint.

It is further alleged that the accused were not happy with the same and demanded more and on her inability to accede their demands she was often physically and mentally harassed and therefore had levelled allegations against her husband besides mother-in-law Maya Devi, father-in-law Kulbhushan Sapra and sister-in-law Suman Bala, brother in law Rakesh Sapra and paternal uncle of husband Surinder Kumar. The crux of the allegations is that the husband had filed a petition for restitution of conjugal rights besides which she was awarded maintenance allowance and subsequently it was discovered that her complaint had been filed by the police. It is

alleged that her purported statement dated 23.12.2017 were not signed by her though it was attributed to her and termed it to be a criminal conspiracy with a view to save the accused from the law.

Heard Mr. Vineet Sharma, Advocate for the petitioner Mr. Sandeep Singh Deol, DAG, Punjab and Mr. H.S. Randhawa, Advocate for respondent No. 2.

The close look at the complaint of the complainant shows that there is no specific attribution to any of the accused in the commission of the offences, for which, she has complained of. Firstly, there has been no categorical allegations as to which of the accused was entrusted with which of the dowry articles and who have usurped the same. Even there is no attribution to any of the accused specifically of having forged her signatures as a consequence of which her complaint was consigned and filed. Not a single instance of either physical or mental cruelty has been denoted in her complaint and by whom and the allegations levelled are vague and ambiguous insinuations. Vide interim order dated 22.02.2019 a Co-ordinate

Bench had allowed interim bail to Rahul Sapra and Maya Devi.

It was on the statement of the Investigating Officer of Women Station Amritsar that the parties have effected a compromise, the interim order of Rahul Sapra was made absolute vide order dated 08.07.2019.

The other co-accused namely Rahul Sapra has already been granted the concession of anticipatory bail in connected FIR No. 82 dated 25.12.2018 under Sections 406/498-A of IPC registered at Police Station Women Cell, Amritsar and who has also been named in FIR No. 83 dated 25.12.2018 under Sections 419, 420, 465, 471 and 120 B IPC registered at Police Station Women Cell, Amritsar and in the light of bail granted to the main accused Rahul Sapra in connected case, the other co-accused certainly deserves this concession as nothing is to be recovered from them and no useful purpose shall be served by sending them behind the bars.

Accordingly, Maya Devi, Kulbhushan Sapra, Rahul Sapra, Rakesh Sapra and Suman Bala are allowed anticipatory

bail to the satisfaction of the Investigating Officer. They shall join investigation as and when required by the Investigating Officer. They shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

*(i) That the petitioners shall make themselves available for interrogation before Investigating Officer as and when required;*

*(ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer;*

*(iii) that the petitioners shall not leave India without the prior permission of the Court.*

CRM M-7986 of 2019, CRM M-6939 of 2019 and CRM M-5333 of 2019, accordingly stands disposed off.

More so, the offences are not of heinous nature and

that a bare perusal of the averments made in the application under Section 439 (2) no ground is made out for this Court to draw any conclusion as to under what circumstance there is necessity of recalling/cancellation of the bail orders earlier granted to the petitioner Rahul Sapra.

There is no merit in the petition (CRM M-36633 of 2019) and the same stands dismissed.

**April 29, 2022**  
amit rana

**(FATEH DEEP SINGH)**  
**JUDGE**

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