

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

(Sr. No. 216)

CRM-M No. 38634 of 2019 (O&M)

Date of decision : 17.10.2022

Ravi Inderpal Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. P. S. Ahluwalia, Advocate for the petitioner.
Mr. Navneet Singh, Senior DAG, Punjab.
Mr. Sandeep Wadhawan, Advocate and
Mr. Suvir Tandon, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 107 dated 07.07.2019 registered under Section 325 IPC (Section 498-A IPC added later on) at Police Station Kamboj, district Amritsar Rural.

Briefly stated, the case of the prosecution is that about 13 years ago the complainant and the petitioner got married; out of their wedlock two children were born; the petitioner who is serving in Punjab Armed Police used to pressurize the complainant's family for dowry; on 04.11.2018 the petitioner gave beatings to the complainant which included a blow on her left ear with a hard object causing a grievous injury and that thereafter the complainant was also thrown out of her matrimonial home.

Learned counsel for the petitioner submits that the petitioner is

accused of having committed offences under Sections 325 and 498-A IPC; the allegation with regard to giving of beatings by the petitioner to the complainant leading to the causing of a grievous injury on her left ear is false; in any case such injury attract the applicability of Section 325 IPC which is a bailable offence; the allegations regarding harassment by the petitioner on the basis whereof the petitioner is accused of an offence under Section 498-A IPC are also false; nonetheless, under the interim orders passed by this Court, the petitioner has joined the process of investigation and has also cooperated with the same; the petitioner has also shown his *bona fides* by investing in two life insurance policies in the name of his two children as also by transferring a Toyota Etios car in the name of the complainant; the petitioner further undertakes to pay in the future as also clear the arrears, if any, of the school fee of both his children; after lodging of the FIR, for over two and a half years the petitioner maintained the complainant as his wife in his house but on account of complaints filed by the complainant/his daughter, he, along with his minor son, has moved out and that the petitioner has now sold the house as he needed money for the treatment of his parents who were earlier suffering from cancer and have since expired.

Learned counsel for the complainant opposes grant of anticipatory bail to the petitioner. However, the learned State counsel submits that under the interim order passed by this Court the petitioner has joined and cooperated with the investigation as also that investigation qua him has since been completed.

The FIR in question originates from a matrimonial dispute

between the petitioner and the complainant; the petitioner is a member of the Punjab Armed Police; he has about 15 years of unblemished service to his credit; the petitioner is accused of having committed offences under Sections 325 and 498-A IPC; Section 325 IPC is a bailable offence; so far as accusations under Section 498-A IPC are concerned, learned State counsel has fairly submitted that under the interim order passed by this Court the petitioner has joined and cooperated with the investigation as also that qua him the investigation is now complete; the petitioner has further undertaken to clear the arrears of the school fee of both his children as also to pay without delay the same in the future and that he has also shown his *bona fides* by investing in two insurance policies in the name of his two children and by transferring a car in the name of the complainant.

In the light of the above, the interim order of this Court dated 19.07.2021 granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

17.10.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No