

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

101

CRM-M-57051 of 2022

Date of decision : 08.12.2022

Amandeep Singh

... Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM : HON'BLE MRS.JUSTICE AMARJOT BHATTI

Present : Mr.Ramanjeet Singh, Advocate
for the petitioner.
Mr.Arun Gupta, AAG, Punjab.
Mr. Kuljit Singh, Advocate for the complainant.

Amarjot Bhatti, J.(Oral)

Amandeep Singh has filed this petition under Section 438 Cr.P.C. praying for grant of anticipatory bail in case FIR No. 134 dated 14.11.2022, under Sections 406, 498-A, IPC, registered at Police Station Women Cell, Ludhiana.

Brief facts of the case are that Amarjit Kaur filed a written complaint against her husband-Amandeep Singh and other members of the in-laws family with the allegations that she got married with Amandeep Singh on 15.02.2019. The behaviour of her husband was good initially. Later on, her husband disclosed that he wanted to go abroad on permanent basis. After three months of marriage, her in-laws started harassing her and she was even slapped by her father-in-law. Her husband insisted that she should talk to her father to purchase a shop for him. She disclosed that her father had already spent huge money on her marriage by taking loan. The husband got annoyed and threatened that he will go abroad and will perform marriage with some other girl. She showed her inability to bring more money from her parental house. She was sent to her parental house and

lateron, she was told not to return back unless their demand was satisfied. She has come to know that her husband was making preparation for second marriage for going to Canada. With these allegations, present case has been registered.

Learned counsel for the petitioner pointed out that Amarjit Kaur has already taken away her dowry articles. She was never maltreated in the matrimonial home. The differences started due to difference of temperament. No recovery is to be effected from him as she has already taken away her dowry articles. To support these arguments, learned counsel for the petitioner has relied upon the photographs in which the complainant is seen taking gold set, keys and 2 suit cases along with one hand bag. It is argued that Amandeep Singh is ready to join the investigation. Therefore, his anticipatory bail application be allowed.

The bail application is opposed by the counsel representing the State. The counsel for the respondent has also filed a memo of appearance. The counsel representing the State has produced a list of dowry articles which are yet to be recovered from Amandeep Singh. However, the counsel for the petitioner strongly opposed this fact.

I have considered the arguments advanced before me. The entire police file is produced. In the police file, there is a list of dowry articles which were handed over to the present petitioner as well as other family member which includes gold ornaments, clothes, electrical goods, furniture, utensils etc. There are photographs of marriage showing the customary gifts being given at the time of marriage. There are photographs of articles, suits, gold ornaments, car which were given at the time of marriage. The aforesaid facts indicate that recovery is yet to be effected. In

case the petitioner is granted anticipatory bail that will interfere in the proper investigation of the case as well as recovery of dowry articles which were handed over to them at the time of marriage. It cannot be believed that all the dowry articles which are visible in the photographs were returned back to the complainant in two suit cases and the hand bag. Even otherwise, the purpose of anticipatory bail is to protect the innocent from false implication. Therefore, considering the aforesaid facts, I do not find it a fit case for anticipatory bail and the same is declined.

08.12.2022
sd

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No