

CRM-M-1652-2022 (O&M)

-1-

104 + 219

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1652-2022 (O&M)

Date of Decision:- 12.04.2023

Surinder Singh and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Navjot Singh, Advocate
for the petitioners.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

Mr. Ashish Nagar, Advocate
for the complainant.

AMARJOT BHATTI, J. (Oral)

CRM-12287-2023

This is an application under Section 482 Cr.P.C. for amending
the memo of parties.

For the reasons enumerated in the application, the same is
allowed. Amended memo of parties is taken on record.

CRM stands disposed of.

CRM-M-1652-2022 (O&M)

The petitioners – Surinder Singh and Jasbir Kaur have filed the
instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in
FIR No. 134 dated 26.12.2021 under Sections 323, 406, 498-A of IPC,
registered at Police Station Sadar Banga, District Shaheed Bhagat Singh

Nagar, Punjab.

The facts of the case are that complainant - Ramandeep Kaur filed written complaint against her husband Jaspreet Singh, father-in-law Surinder Singh and mother-in-law Jasbir Kaur regarding maltreatment given to her on account of demand of dowry as well as misappropriation of her dowry articles and turning her out of the matrimonial home. She stated that her marriage was performed on 03.12.2017 and her parents had spent Rs. 7 lacs on marriage. She was given gold ornaments and other articles. Soon after marriage, her husband and in-laws started maltreatment in order to compel her to bring money from her parental house. Both her in-laws interfered in her married life and used to instigate her husband and also used to beat her. The matter was also compromised but there was no change in their behaviour. They misappropriated all her dowry articles and refused to return the same. Ultimately, the complaint was filed and after inquiry, the present FIR was registered.

Learned counsel for the petitioners argued that they have already joined the investigation. They were granted *interim* bail vide order dated 27.01.2022. Thereafter, as per the directions of the Court, they have deposited Rs. 5 lacs towards the alleged dowry articles. The photocopies of e-challans are also placed on record. It is argued that even though the misappropriation of dowry articles is denied but in order to show their bonafide, they have deposited the aforesaid amount in favour of the complainant and they have no objection if the said amount is released in favour of the complainant. They are still ready to join the investigation as and when required. It is prayed that their anticipatory bail application may be allowed.

Learned counsel representing the State as well as learned

counsel for the complainant opposed the bail application. It is pointed out that the dowry articles have not been recovered but at the same time, it is conceded that the petitioners have deposited Rs. 5 lacs in the name of complainant in lieu of alleged dowry articles.

I have considered the arguments and have gone through the record. The petitioners are the father-in-law and mother-in-law of the complainant. They were granted *interim* bail and during the pendency of this bail application, they have deposited Rs. 5 lacs in favour of the complainant towards alleged dowry articles. The photocopies of the e-challans are also placed on record. The petitioners have no objection if the aforesaid amount is released in favour of the complainant. Therefore, the complainant can file appropriate application before the Court concerned for the release of said amount. As the petitioners are still ready to join the investigation and to cooperate with the investigating agency, therefore, the *interim* bail already granted in their favour vide order dated 27.01.2022 stands confirmed, subject to the conditions as specified under Section 438(2) Cr.P.C.

The petition is accordingly, accepted.

12.04.2023

lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No