

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 103

Criminal Miscellaneous No.M-2886 of 2023

Date of Decision: *January 19, 2023*

Amit Arora

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

. . .

PRESENT: - Mr. Abhijeet P.S. Chaudhary, Advocate, for the petitioner.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab, assisted by Mr. R.K. Girdhar, Advocate, for the complainant.

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Tribhuvan Dahiya, J (Oral)

This is a petition under Section 438 Cr.P.C. for grant of pre-arrest bail in case FIR No.2 dated 06.01.2023 under Sections 323, 341, 506, 498-A IPC registered at Police Station, Sadar, Ludhiana.

As per the allegations, the marriage between the parties was solemnized on 04.07.2021, which was the second marriage for both of them. On 16.12.2022, the petitioner is said to have caused injuries on the person of the complainant, and an MLR to that effect was duly recorded on the intervening night of 16.12.2022. It has been pointed out by learned State counsel that injury Nos.1, 2 and 3, as per the MLR, were caused by blunt weapon. There were bruises on the complainant's neck, apart from abrasions on other body parts, which establishes the allegations levelled.

Apart from that, there are allegations of demand for dowry against the petitioner. In that regard, initially a complaint was made to the Commissioner of Police, Ludhiana on 19.12.2022 vide UID No.PGO 88472, though the FIR in question was lodged subsequently on 06.01.2023.

Learned counsel for the petitioner contends that the allegations in the FIR are false and no incident as lodged therein has occurred. MLR has been falsely procured by the complainant and it cannot be believed that in the presence of the family members, injuries could have been inflicted upon her.

Learned counsel for the complainant has pointed out that the petitioner is an influential person and only that account, earlier complaint submitted by the complainant, dated 19.12.2022, was not acted upon, despite the medical evidence being there. He also pointed out that there are other FIRs against petitioner which have been lodged by his previous wife. The same have not been mentioned in the instant petition and a wrong statement on facts has been made therein, stating that no criminal case is pending against the petitioner.

Looking at the serious allegations against the petitioner which are duly corroborated by MLR as well as his conduct in concealing other criminal cases/FIRs from this Court, no ground is made out to entertain this petition seeking grant of pre-arrest bail to him.

Dismissed.

Since the main petition has been decided, pending applications, if any, are disposed of as having been rendered infructuous.

It is made clear that anything recorded hereinabove shall not be taken as an opinion on the merits of the main case.

January 19, 2023
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(Tribhuvan Dahiya)
Judge

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No