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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7171-2023 (O&M)

Date of Decision:- 03.05.2023

Navdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Pankaj Bains, Advocate for
Mr. Shashank Vardaan Sharma, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. Karamveer Singh Banyana, Advocate
for the complainant.

AMARJOT BHATTI, J. (Oral)

CRM-10873-2023

This is an application filed by the counsel for petitioner under Section 482 Cr.P.C. for placing on record ID card of petitioner issued by Health Dept. Govt. of Haryana, ID card issued by PT. B.D. Sharma Post Graduate Institute of Medical Sciences, Rohtak, Haryana, ID card of mother of petitioner namely Gurmail Kaur issued by Education Department Chandigarh and Pension Payment Order dated 17.03.2012, Character Certificate, medical record of father of petitioner as Annexures P-4 to P-9.

For the reasons enumerated in the application, the same is allowed. Accompanied documents Annexures P-4 to P-9 are taken on

record.

CRM stands disposed of.

CRM-M-7171-2023

The petitioner – Navdeep Singh has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 0004 dated 14.01.2023, under Section 406, 498-A of the IPC, registered at Police Station Women, Phase VIII, Mohali, District SAS Nagar.

The facts of the case are that Gurinder Kaur – complainant filed written complaint against her husband and in-laws family alleging that she is a Government Teacher. Her marriage was solemnized with Navdeep Singh on 12.04.2015 according to Sikh rites. After marriage, she came to know that her husband was having illicit relations with his mother Gurmail Kaur. Her parents had spent Rs. 25 lacs on marriage. She was given gold ornaments, furniture, gold items, household articles etc. After marriage, she was harassed by her husband Navdeep Singh and both in-laws. They started harassing her to bring a new car from her parents. She saw her husband in objectionable condition with his mother. During this period, she gave birth to a son, who is now five years of age. She was continuously pressurized to bring new car and ultimately in the year 2021, her parents had given new Wagon R car in her name. They were happy for some time but later on, they started pressurizing her to bring Rs. 50 lacs from her parents, otherwise, she had no place to live in the house. Ultimately, she returned to her parental house. A Panchayat was also convened with a request to change their behaviour. Despite all this, she was beaten up and her husband and mother-in-law tried to kill her by putting lizard in her vegetable. Her father-in-law is a heart patient. She wanted to serve him but under compulsion, she along with her son started

residing in a rented room. Even then her husband maltreated her and insisted on his demand of Rs. 50 lacs. She has narrated various incidents of cruelty in the matrimonial home. Ultimately, the complaint was filed and present FIR has been registered.

Learned counsel for the petitioner argued that the allegations levelled against him are false. In fact, the complainant has taken away her articles. The still photographs of CCTV footage is Annexure P-2. He has already joined the investigation and is not required for any other purpose. Therefore, his anticipatory bail application may be allowed.

Bail application is opposed by learned counsel representing the State as well as learned counsel for the complainant. In the detailed status report, it is mentioned that after the grant of *interim* relief, he has not joined the investigation. Rather, he has absconded and is not available. His custodial interrogation is required. The dowry articles are yet to be recovered. Therefore, he is not entitled to be released on anticipatory bail.

I have considered the arguments and have gone through the record carefully. It is matter of record that the arrest of the petitioner was stayed in order to explore the possibility of compromise. However, the compromise could not materialize. Learned counsel for the petitioner has also placed on record the treatment record of father of the petitioner which is Annexure P-9. So far as this record is concerned, it is not relevant to the present case as the present anticipatory bail application has been filed by Navdeep Singh and not by his father. The record indicates that no dowry article has been recovered as yet. Even if the still photographs Annexure P-2 are concerned, according to this, a lady is carrying her bag and clothes in a car. It cannot be said that in the said car she could take away all her dowry articles and household articles which were given to her at the time

of marriage. The petitioner is required to join the investigation as well as for the recovery of dowry articles, which is a case property falling under Section 406 of the IPC. Considering these facts, in my opinion the petitioner – Navdeep Singh is not entitled to the concession of anticipatory bail and his bail application is accordingly, declined.

03.05.2023
lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No