

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-17407-2023
Date of decision : 26.05.2023

Ram Deep Sharma

..... Petitioner

V/S

State of Punjab

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Sachin Bhardwaj, Advocate for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. Nitish Kumar Vasudeva, Advocate for the complainant.

AMARJOT BHATTI J. (ORAL)

The petitioner-Ram Deep Sharma has filed the instant petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 02 dated 08.01.2023, registered under Sections 406, 498-A of IPC, at Police Station Women, District S.A.S. Nagar, Mohali.

The facts of the case are that the complainant-Pooja Sharma filed a written complaint, alleging that her marriage was performed with Ram Deep Sharma on 27.02.2020. Her parents had given household articles, ornaments and cash in the shape of dowry. After marriage, she came to know that her husband was idle. He started harassing her on account of demand of dowry. He raised demand of Rs.20,000/- when they had gone to honeymoon. Even thereafter, he was demanding money from time to time. Her father had deposited Rs.10 Lacs in her account and Ram Deep Sharma was aware of this fact. He threatened her to end the relationship with her. She was ill-treated in the matrimonial home. Ultimately, she returned to her parental house. All her dowry articles are lying in the matrimonial home. The

complaints were filed from time to time, ultimately, the matter was investigated and the present FIR has been registered.

Learned counsel for the petitioner argued that all the allegations levelled against him are false. In fact the petitioner served a legal notice to the complainant to come to the matrimonial home otherwise he will initiate legal proceedings. Copy of legal notice is Annexure P-3. She did not returned back to the matrimonial home. The complainant filed a complaint in Women Police Station, S.A.S. Nagar, Mohali as a counterblast to the said notice. It is further pointed out that the matter was referred to the Mediation and Conciliation Centre of this Court, where the compromise has been effected between the parties. The copy of settlement agreement dated 24.05.2023 is placed on record. He is ready to join the investigation and will fulfill the terms of compromise. It is prayed that his anticipatory bail may be allowed.

The factum of compromise is confirmed by the counsel for the complainant and he has not opposed the anticipatory bail application. Learned State counsel pointed out that the petitioner has not joined the investigation till date and he is required to join the investigation.

I have considered the arguments and have gone through the record carefully. In this case the arrest of the petitioner was stayed and the matter was referred to the Mediation and Conciliation Centre vide order dated 12.04.2023, where the compromise has been effected between the parties. Copy of settlement agreement is on the record. The anticipatory bail application is not opposed by the learned counsel for the complainant. The petitioner is still ready and willing to join the investigation as and when required. No purpose would be served by sending the petitioner behind the bars. Therefore, the anticipatory bail application filed by the petitioner is allowed. He be not arrested. In case of his arrest, he be released on

bail to the satisfaction of Investigation Officer/Arresting Officer subject to the conditions enshrined under Section 438(2) Cr.P.C.

The petition is accordingly accepted.

(AMARJOT BHATTI)
JUDGE

26.05.2023.
Sunil Devi

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