

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

201

CRM-M-31111-2021 (O&M)

Date of decision: 30.11.2023

Harinder Singh**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. T. P. S. Makkar, Advocate
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

Mr. G. S. Madaan, Advocate
for respondent No. 2/complainant.

MANISHA BATRA, J. (Oral)

1. Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 5, dated 20.06.2021, registered under Sections 498-A, 506 of the IPC at Police Station Women, District Ludhiana (Rural).

2. Brief facts of the case relevant for the purpose of disposal of the present case are that the present FIR was registered on the written complaint given by respondent No. 2-Amandeep Kaur alleging therein that on 01.01.2020, she had got married to petitioner Harinder Singh. In the marriage, sufficient dowry including gold articles to the petitioner and his family members were given. She further alleged that almost Rs. 20 Lakhs was spent on her marriage. Her husband was working on a contractual post as Pharmacist and was also running a chemist shop. After sometime of the marriage, her in-laws had started harassing her. On 03.03.2020, her mother-in-law had died.

The husband, sister-in-law as well as father-in-law of the complainant had

started saying that their mother had died on account of complainant's entry in the house. It was alleged that her father-in-law as well as husband used to abuse her. Her husband slapped her on many occasions and also torn her clothes 4-5 times. The petitioner used to beat and maltreat her. Her husband had threatened her that if she disclosed anything to her parents, he would commit suicide and would get her parents and brother implicated in false case. Due to this fear, she could not disclose anything to her parents. She alleged that her sister-in-law had also harassed her mentally and taunted her regarding dowry. The complainant alleged that her husband was a sex maniac. On 04.08.2020, a major quarrel took place between the petitioner and his sister, due to which, father-in-law of the complainant had thrown complainant and her husband out of the house. The complainant along with her husband had stayed at her parental home for ten days. Later on, when the matter was compromised between them, her sister-in-law said that her seven conditions had to be accepted by the complainant as she had support of 150-200 boys. Since 13.03.2021, the complainant had been residing at her parental house. All the documents of the complainant including a joint FDR and some gold ornaments were kept in a locker of a bank and she was not allowed by the accused persons to use her *istridhan*. On 22.03.2021, her father-in-law came to her parental house and started misbehaving and abusing at her father's shop. Her father requested him not to do so but his father-in-law raised voice and started using force upon his father, on which, one Jagjeet Singh Jaggi reached the spot and called the police. The complainant prayed that her life be saved and penal action be taken against the culprits. On this complaint, the aforementioned FIR was registered and the investigation proceedings were initiated.

3. The present petitioner, who is the husband of the complainant, has

moved the present petition for grant of anticipatory bail in the aforementioned FIR. Vide order dated 05.08.2021, passed by this Court, while issuing notice of motion, the petitioner was released on interim bail and was directed to join investigation. The matter was sent to Mediation and Conciliation Centre of this Court for exploring the possibilities of an amicable settlement between the parties but the same has failed. Vide order dated 08.12.2022, the matter was again referred to mediation but the mediation proceedings have again failed.

4. Learned State counsel, assisted by learned counsel for the complainant, has filed the status report of the even date and on instructions from the Investigating Officer has stated that the petitioner has joined the investigation and he is not required for custodial interrogation.

5. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 05.08.2021, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

30.11.2023

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No