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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31538-2022

Date of Decision:- 01.03.2023

NAVDEEP KUMAR

....Petitioner

Vs.

STATE OF PUNJAB AND ANR.

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Kamal Narula, Advocate
for the petitioner.

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

Mr. Ajay Kamboj, Advocate
for the respondent No. 2.

AMARJOT BHATTI, J. (Oral)

The petitioner – Navdeep Kumar has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 69 dated 04.06.2022 under Sections 498-A, 406 of the IPC registered at Police Station Khuian Sarwar, District Fazilka.

The facts of the case are that Lady Constable Anusahia Rani filed written complaint against her husband and in-laws family alleging that she got married with Navdeep Kumar about one year ago. She was given gold and silver jewellery and other articles at the time of marriage. She was taunted for bringing less dowry right from the beginning. She lived in the matrimonial home with a hope that things will improve. Her parents always told her to adjust in the matrimonial home. Her husband

Activa and the installments were paid from her account. The accused persons used to taunt her for not bringing a car. She was told to bring more dowry otherwise, she will not be permitted to live in the matrimonial home. Her parents talked to the accused persons number of times but they want divorce. Ultimately, the present complaint has been filed.

Learned counsel for the petitioner argued that all the allegations levelled against him are false. The Activa was purchased by the petitioner from his own funds. His wife was posted as Constable in Police Station Sadar Abohar and she was pressurizing him to shift to Abohar. He refused to shift along with the complainant and for this reason, false FIR has been registered. He has not received any dowry as the marriage was simple. He has already joined the investigation. It is prayed that his anticipatory bail application may be allowed.

The bail application is opposed by learned counsel representing the State. As per the record, a settlement agreement was prepared by Mediation and Conciliation Centre but it could not be honoured as the petitioner was not having funds to fulfill its terms and conditions. Learned counsel representing the State pointed out that the petitioner has not joined the investigation nor any dowry articles have been recovered. Therefore, his anticipatory bail application may be dismissed.

I have considered the arguments and have gone through the record. Despite given interim relief, the petitioner has failed to join the investigation nor he cooperated in the recovery of dowry articles. Unfortunately, he could not honour the terms and conditions of compromise arrived at with the intervention of Mediation and Conciliation Centre. There are specific serious allegations of maltreatment and misappropriation of dowry articles. Considering these facts, in my opinion,

the petitioner – Navdeep Kumar is not entitled to the relief of anticipatory bail and the same is accordingly, declined.

01.03.2023
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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No