

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M No. 31119 of 2023
Date of Decision: 19.09.2023**

Sukhjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Amardeep Tiwana, Advocate
 for the petitioner.

 Mr. Virat Rana, AAG, Punjab
 for the respondent-State.

 Mr. Shobhit Rapria, Advocate appearing for
 Mr. Kanwal Goyal, Advocate
 for the complainant.

MEENAKSHI I. MEHTA, J.(Oral)

By way of the instant petition, the petitioner has sought the relief of anticipatory/pre-arrest bail in the criminal case arisen out of the FIR bearing No.47 dated 10.06.2023 registered at Police Station Women, District Patiala, under Sections 406, 494 and 498-A IPC.

2. Bereft of unnecessary details, the allegations, as levelled by the complainant in the subject FIR, are that the petitioner was known to her since the year 2019. She was betrothed to one Pushpinder Singh and her father had kept an amount of Rs.15 lac and gold ornaments, weighing 19 tolas, in their house for her marriage and when the petitioner came to know

about this fact, he enticed/allured her to leave her home, along-with the said cash amount and the gold jewellery items, on the pretext that he wanted to marry her and then, he married her on 24.01.2020. However, soon thereafter, he and his family members took the above-said cash amount and gold jewellery items from her and the petitioner also secured the loan from the Bank by using her Credit-Card but he kept on harassing and maltreating her for demanding more money and he has also solemnized his second marriage with one Baljit Kaur, during the subsistence of his marriage with her (complainant).

3. Status-Report has already been submitted on behalf of the respondent-State by way of the affidavit of the Deputy Superintendent of Police, Head Quarters holding the additional charge of PBI/Crime Against Women & Children, District Patiala.

4. I have heard learned counsel for the petitioner as well as learned State counsel (assisted by learned counsel appearing for the complainant) in the present petition and have perused the file carefully.

5. Learned counsel for the petitioner has submitted the affidavit of the petitioner in the Court and he points out that in para No.3 therein, the petitioner has specifically deposed that he has not solemnized the second marriage and he contends that the petitioner has been got falsely roped in as an accused in the criminal case under reference and in fact, he did not misappropriate the cash amount or the gold jewellery articles, as alleged by the complainant and in these circumstances, he (petitioner) deserves the relief, as prayed for in the instant petition.

6. Per contra, learned State counsel argues that the petitioner has misappropriated the afore-said cash amount and gold jewellery items of the complainant and he has also illegally performed the second marriage and keeping in view the nature of the offence committed by the petitioner, the present bail petition be dismissed.

7. As regard the depositions made by the petitioner in his above-referred affidavit qua the denial of the factum of his having performed the second marriage, it is worth-while to mention here that Annexure R-1/T is the written-declaration, purported to have been made by the mother of said Baljit Kaur, i.e the alleged second wife of the petitioner, regarding the solemnization of the marriage of her daughter with the petitioner at Gurudwara Bohar Sahib and the genuineness and truthfulness of the versions as set-forth in both the afore-mentioned documents, can and shall be looked into and adjudicated upon by the trial Court at the relevant stage after appreciating and evaluating the evidence that may be led on the record, during the course of the trial and the same cannot be decided while dealing with the instant bail petition.

8. Rather at the moment, the fact remains that in Para No.4 in the Status-Report, it has categorically been mentioned that during the course of the inquiry conducted in respect of the complaint moved by the complainant, it has transpired that the petitioner used to torture the complainant, mentally as well as physically, for demanding dowry and for pressurizing her to get her share in the land from her father and he had also contracted second marriage with Baljit Kaur while concealing the factum

of the subsistence of his first marriage with the complainant and it has further been deposed in Para No.5 therein that the above-said cash amount and the gold items and also the loan amount and some valuable documents, belonging to the complainant, are yet to be recovered from him (petitioner).

9. Keeping in view the afore-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner in the present case, this Court is of the considered opinion that he (petitioner) does not deserve the relief of anticipatory/pre-arrest bail. Resultantly, the petition in hand stands dismissed accordingly.

September 19, 2023

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(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>