

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**280****CRM-M No.31559 of 2023****Date of Decision : 11.09.2023**

Gurkamal Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mahesh Sharma, Advocate for the petitioner.

Mr. Harjinder Singh Sidhu, AAG Punjab.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.40 dated 02.06.2023 under Sections 498-A and 406 of the Indian Penal Code, 1860 registered at Police Station Badhni Kalan, District Moga.
2. Learned State counsel on instructions from ASI Charanjit Singh states that though the petitioner has joined the investigation, however, he is not cooperating with the Investigating Agency. Neither he is ready to settle the matter nor is he ready to return the *istridhan* articles of the complainant.
3. Learned counsel for the petitioner states that the petitioner has categorically refused to return the dowry articles and has stated that either the complainant should go with him or she should give him a divorce.
4. Heard.

5. The petitioner is also present in Court. He has been asked by this Court as to why he is not cooperating and the only answer received from the petitioner is that either the complainant should reside with him or she should give him a divorce. The petitioner has also refused to return the *istridhan* articles of the complainant.

6. Keeping in view the conduct of the petitioner as also the fact that the petitioner is neither co-operating with the investigating agencies and is not even willing to return the Istridhan articles, this Court is left with no other option but to dismiss the present petition. The petition is accordingly dismissed. The petitioner, who is present in Court, be taken into custody.

7. Pending applications, if any, also stand disposed off.

11.09.2023

jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO