

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

(102)

CRM-M-47487-2022 (O&M).
Date of Decision:-06.02.2023.

Maninder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Harpinder Singh Jalal, Advocate for the petitioner.

Mr. Arun Gupta, AAG, Punjab assisted by
ASI Gurmeet Singh.

Mr. P.K.S. Phoolka, Advocate for the complainant.

ALOK JAIN, J. (Oral)

CRM-5389-2023

For the reasons recorded in the application, the same is
allowed.

Anneuxres P-8 and P-9 are taken on record, subject to just
exceptions.

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The present petition is for grant of anticipatory bail in case FIR
No.49 dated 26.08.2022, under Sections 498-A, 406, 323 and 34 of IPC,
registered at Police Station Women Cell, District Bathinda.

On the strength of the photographs and video, learned counsel
for the petitioner has submitted that the entire gold articles detailed in the
FIR were in fact taken by the complainant and, hence, there is no question

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of any recovery. He further submits that merely for recovery, the petitioner cannot be denied the concession of anticipatory bail.

Per contra, learned State counsel, assisted by counsel for the complainant, has submitted that only one *Ranihaar* weighing three *tolas* was recovered and the petitioner has not joined the investigation.

A perusal of various orders passed by this Court since 17.10.2022, whereby the parties were referred to the Mediation Centre also to work out an amicable solution and subsequently, repeated efforts were made so that the petitioner comes out with clean hands, however, perusal of the photographs and the pen drive clearly records that the petitioner is trying to play hide and seek and it can be clearly heard that the alleged ornaments which are being returned are fake ornaments.

Since the petitioner has not approached the Court with clean hands and is trying to hoodwink the process, I deem it appropriate that the petitioner is not entitled to the extraordinary concession of anticipatory bail, *moreso*, in the light of the fact that the petitioner is the husband of the complainant, who is responsible to take care of his wife but there are specific allegations against him in the FIR with regard to inflicting of injuries also, though they are simple in nature.

In light of the above, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

(ALOK JAIN)
JUDGE

February 06, 2023.

Sandeep

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