

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201

CRM-M- 58805-2022

Date of decision : 01.06.2023

Vishal Bassan

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ritesh Pandey, Advocate for the petitioner.

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

Mr. Vinay Kumar, Advocate for the complainant.

AMARJOT BHATTI J. (ORAL)

The petitioner- Vishal Bassan has filed the instant petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 159 dated 28.09.2022 under Sections 406, 498-A, 34 of IPC, registered at Police Station City Batala, District Batala.

The facts of the case are that the complainant-Shivani filed a written complaint alleging that she got married with Vishal Bassan on 18.11.2015 and out of this wedlock, she is having two female children Rohani and Himani. Both the children are staying with her. She was given dowry articles as detailed in the FIR. At the time of her marriage, her parents had spent about Rs.15 lacs. She was physically and mentally tortured by her husband and in-laws family as they were unhappy with the dowry articles. They were also unhappy with the birth of female child. In September, 2019, her parents had given Rs.2 Lacs to her in-laws family to save her married life. Thereafter, they started raising demand for cash of Rs.15 Lacs or Innova car. She has narrated the acts of cruelty committed towards her from time to time.

Ultimately, she filed this complaint on the basis of which present FIR has been registered.

Learned counsel for the petitioner argued that their marriage was performed in a simple manner. All the allegations levelled against him are false. Earlier, he had filed a petition under Section 9 of Hindu Marriage Act and later on he filed a divorce case. He is always willing and ready to settle their dispute. It is prayed that his anticipatory bail application may be allowed.

The bail application is opposed by learned State counsel as well as counsel for the complainant. He has filed detailed status report, which is taken on record. It is argued that there are specific allegations of maltreatment on account of demand of dowry. The dowry articles are yet to be recovered. The case is still under investigation. The learned State counsel has also placed on record the recovery memos dated 06.04.2023 vide which the gold ornaments, cash amount and various documents were handed over to the police.

I have considered the arguments and have gone through the record carefully. As referred above the present petitioner was granted ad interim bail vide order dated 16.12.2022. He has joined the investigation and as per the aforesaid recovery memos, the recoveries were effected. The present petitioner is still ready to join the investigation as and when required. Therefore, no purpose would be served by sending him behind the bars. Therefore, the ad-interim bail already granted vide order dated 16.12.2022 stands confirmed, subject to the conditions enshrined under Section 438(2) Cr.P.C.

The petition is accordingly accepted.

(AMARJOT BHATTI)
JUDGE

01.06.2023.
Sunil Devi