

CRM-M-4925 of 2023

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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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CRM-M-4925 of 2023 (O&M)
Date of decision: 02.05.2024

MANDEEP SINGH ...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Bhavi Kapoor, Advocate for
Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Ms. Ruchi Sabherwal, Sr. DAG, Punjab.

Mr. R.S. Bains, Sr. Advocate with
Mr. Mohit Singh Chauhan, Advocate for the complainant.

MANISHA BATRA, J. (Oral)

- Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 135, dated 26.11.2022, under Sections 406 and 498-A of IPC at Police Station Badli Ala Singh, District Fatehgarh.
- The brief facts relevant for the purpose of disposal of the present petition are that the abovesaid FIR was registered on the basis of written complaint filed by the complainant-Bajpreet Kaur alleging therein that she was married with the son of the present petitioner on 06.04.2022 according to Sikh rites and rituals. At the time of *roka*/engagement as well as marriage ceremony, huge amount of money was spent by her parents and several dowry articles including gold and diamond ornaments were given to the husband, the

petitioner and his other family members as well as relatives as per demand made by them. Even cash amount of Rs.10 lacs was also transferred to the bank account of the present petitioner. She alleged that just few days before the marriage, the petitioner again raised a demand of money from her father and he was pressurised to give an amount of Rs.12 lacs in cash to him on the day of marriage itself which was somehow, given by her father. Shortly after the marriage, petitioner and his family members started giving taunting to her on account of bringing insufficient dowry. She came to know that the her husband was a drug addict. All her jewellery articles were taken by her mother-in-law. The petitioner and his family members started torturing her on account of not bringing a big vehicle in dowry. She was ultimately compelled to leave her matrimonial house on 17.05.2022. After registration of the FIR, investigating proceedings are under way.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. His custodial interrogation is not required and no recovery is to be effected from him. Even otherwise, a compromise has been effected between the parties and a petition bearing No. CRM-M-20117-2024 for quashing of the FIR on the basis of the said compromise dated 21.02.2024, is pending before this Court. With these broad submissions, it is urged that the present petition may be allowed.

4. Learned State counsel has argued that there are specific allegations against the petitioner and therefore, he does not deserve to be given concession of bail.

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5. Learned counsel for respondent No.2 on the other hand, has placed on record a copy of order dated 24.04.2024 passed by this Court in CRM-M-20117-2024 showing that a petition on the basis of compromise for quashing of the FIR of this case has been filed. He has also submitted that respondent No.2 has no objection if the present petition is allowed.

6. In view of the above narrated facts but without commenting on the merits of the case, the petition is allowed, subject to the conditions that the petitioner shall appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter and shall furnish personal/security bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

03.05.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No