



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205

CRM-M-12209-2024 (O&M)

Date of Decision: 12.07.2024

Anmoldeep Singh Boparai @ Anmoldeep Singh Petitioner

Versus

State of Punjab and another Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Ruhani Chadha, Advocate
for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

Mr. Liaqat Ali, Advocate for respondent No.2.

NIDHI GUPTA, J. (ORAL)

Prayer in the instant petition filed under Section 438 Cr.P.C.
is for grant of anticipatory bail to the petitioner in case FIR No. 76 dated
26.08.2022 (Annexure P-1), under Section 498-A IPC, registered at
Police Station Women Cell, District Jalandhar.

On 07.03.2024, when this case was listed for hearing,
following order was passed by a Coordinate Bench of this Court:-

“The instant petition has been filed by the petitioner seeking pre-arrest bail in case arising out of FIR No.76 dated 26.08.2022 registered under Sections 498-A of IPC at Police Station Women Cell, District Jalandhar on the basis of a written complaint filed by the complainant-Harjiner Kaur alleging therein that her daughter-Harpreet Kaur was got married with the present petitioner on 06.01.2019 according to Sikh religious rites and ceremonies. The



petitioner as well as her daughter were working and staying in Canada at that time. Marriage ceremonies had taken place at Jalandhar. After the marriage, the petitioner and his daughter had gone back to Canada. She alleged that huge amount of money was spent at the time of their marriage but shortly thereafter, the petitioner and his family members had started harassing her daughter on account of demand of dowry. They raised a demand of brand new Innova car but even on request of her daughter that her parents were unable to give the same and thereafter, they had physically as well as mentally harassed her. All the personal belongings which constituted istridhan of her daughter, had been kept at her matrimonial house and had been misappropriated by the petitioner and his family members. She alleged that while living in Canada also, the petitioner was subjecting the daughter of the complainant with same treatment and she was thrown out of her matrimonial house on 28.02.2020. On the basis of this complaint, a case under Section 498-A of IPC as mentioned above has been registered and the investigation is going on.

The present petition has been filed by the petitioner and it is argued by his counsel that he has been falsely implicated in this case. The petitioner is permanent resident of the Canada, however, his parents are settled in India. The allegations of raising demand of dowry by the petitioner or his family members are apparently false. It is submitted that the petitioner has obtained an ex parte decree of divorce against the respondent from the Supreme Court of British Columbia. He further submitted that the custodial interrogation of the petitioner is not required and he is ready to join the investigation.

Notice of motion.



Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

Notice to respondent No.2 be issued for 30.04.2024 after depositing process fee by the petitioner.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within a period of 15 days or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 07.03.2024 passed by a Coordinate Bench of this Court, the petitioner has joined the investigation on 19.03.2024.

Learned State counsel, on instructions from ASI Vijay Kumar, submits that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation on 19.03.2024 and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

At this stage, learned counsel for the petitioner submits that an application No. CRM-25279-2024 has been filed by the petitioner seeking permission to go abroad as he is a permanent resident of Canada. Learned counsel for the petitioner submits that he may be permitted to withdraw this application with liberty to approach the appropriate forum. The said application is dismissed as withdrawn with liberty aforesaid.



In view of the above, the order dated 07.03.2024 granting interim bail to the petitioner is made absolute.

However, the petitioner will abide by the conditions stipulated under Section 438(2) Cr.P.C. He will also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

12.07.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No