

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

Date of decision: 12.07.2024

....Petitioner

Versus

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.114 dated 18.05.2024 under Sections 323/498-A/34 of IPC and Section 325 of IPC has been added later on (vide G.D. No.037 dated 27.05.2024) (Annexure P-4) registered at Police Station Tanda, District, Hoshiarpur (Annexure P-1).

Mr. Avtar Singh Bhatti, Advocate puts in appearance on behalf of the complainant and files his *vakalatnama* in the Court today which is taken on record.

The FIR (*supra*) was lodged on the statement of the complainant by alleging that her marriage with Ajitpal Singh was solemnized in the year 2022 and it was the second marriage of her and her husband. Out of this wedlock, one female child was born, namely, Navreet Kaur, aged about one and a half year. Her husband works in Merchant Navy and she is also qualified as B.Sc. (Computer Science). Prior to her marriage, she was working in ‘Yes Bank’, Mukerian and thereafter, she joined in HDFC Bank, Garhshankar but



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her in-laws and husband did not allow her to join in HDFC Bank, Garhshankar. It is further alleged that when her husband used to come on leave from his duty, he used to beat her. On 30.01.2024, her husband came on leave and on 08.05.2024 at about 05:30 P.M., he along with his father and mother were having juice and when the complainant started consuming the juice, her mother-in-law took the glass of juice from her by saying that the same has not been offered by her parents and her parents have given insufficient dowry and when the complainant told her that her parents have given sufficient dowry as per their capacity, her mother-in-law caught hold her from hair and her husband has given fist blow on her mouth due to which blood started oozing from her lips and her tooth also got damaged and she fell down on the ground. Thereafter, her husband gave her kick blows on various parts of her body and then her husband in connivance with his mother tried to kill her by choking her throat with her '*chunni*' and at the time of this incident, the complainant was pregnant. Thereafter her in-laws forcibly took her in a car and dropped her outside her parents' house and thus, the instant FIR got registered.

Learned counsel for the petitioner *inter alia* contends that there is a delay of 10 days in registration of the FIR and 09 days delay after the medical examination of the complainant. The petitioner has been falsely implicated in the present case and the complainant has herself left the company of the petitioner and his neighbours are willing to give affidavit in favour of the petitioner to prove that he is not at fault. The medical report has been procured by the complainant in connivance with the medical officers and the jurisdictional police authorities.

Per contra, the learned State counsel assisted by Mr. Avtar Singh

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Bhatti, Advocate for the complainant submits that the petitioner has mercilessly beaten the complainant. The perusal of the MLR would reveal that the complainant has suffered ten injuries, out of which, injury No.1 has been declared grievous after the receipt of the radiologist report and the petitioner is habitual of beating the complainant as and when he used to come home on leave.

Having heard learned counsel for the parties and after perusing the record and without commenting anything on the merits of the case, this Court finds no ground to grant anticipatory bail to the petitioner keeping in view the facts and circumstances of the case and thus, the present petition stands dismissed.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

12.07.2024*Neha*

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No