

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

210

CRM-M-45846-2023

Date of Decision: 25.01.2024

VIKRAM SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- None for the petitioner.

Ms. Himani Arora, AAG Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.42 dated 25.05.2023 registered under Sections 406 and 498-A of the IPC registered at Police Station Women, District Patiala.
2. Status report by way of affidavit of Karnail Singh, PPS, Deputy Superintendent of Police, PBI, Crime Against Women and Children, District Patiala has been filed on behalf of respondent-State, which is taken on record.
3. On 14.09.2023, the Coordinate Bench of this Court passed the following order:-

“The present FIR has been registered on the complaint of complainant/wife, which read as under :-

“To the Inspector General Sahib Patiala, Subject:- Application against (1) Vikram Singh son of Gurdeep Singh (husband) M. No. 70870-87484, 95885-39791 (2) Parkash Kaur w/o Gurdeep Singh (3) Gurdeep Singh 98961-53149 (4) Joga Singh son of Gurdeep Singh (Jeth) (5) Parminder Kaur w/o Joga Singh (Jethani) residents of 799, Near Patwar Khana Gurdwara, Civil Distt. Kaithal presently residing at # 11, Kalgidhar Enclave, Baltana, Zirakpur for registration of case against above persons for giving beatings to applicant in connivance with each other and harassing for demand of dowry and turning her away from the house. I Kamalpreet Kaur w/o Vikram Singh resident of 123, Ward No. 11, Mohalla Balodha Wala, Sanaur, Patiala, submits as following: - (1) That my wedding took place with Vikram Singh on 15-07-

2020 at Gurdwara Shri Guru Harkishan Sahib, Anand Nagar-B, Patiala. At the time of wedding my parents gave dowry on demand of accused beyond their means. Whatever expenses were incurred, I can present the list during investigation. 2) Before marriage, Ring Ceremony was held at Dillon Residency on asking of accused where 120 persons came from their side where on demand of accused Shagun, Jewellery, Clothes etc. were given to their relatives. Said ring ceremony took place on 01-03-2020 and Rs.4,80,500/- were spent on demand of accused by my parents and expensive Gifts were given to relatives. 3) At the time of marriage about 150 persons came in marriage, as per demand of accused, gold ornaments and other dowry articles and about 25 lacs were spent on wedding. The list of Dowry articles and expenses is attached. Whatever jewellery or Dowry articles were given to accused and their relatives, some of the photographs are attached. 4) After marriage the accused started residing at their paternal home Seevan where I lived for 1 month. After 1 month, I my husband, my brother-in-law Joga Singh, sister-in-law Parminder Kaur started living in Zirakpur because they have work of immigration at Chandigarh. My mother-in-law and father-in-law often came to Zirakpur 5) After some time I came to know that accused are greedy persons and are not satisfied with dowry given by my parents and my husband started saying that they expected Swift Car in marriage. By not giving Car my parents have been insulted. When I requested the accused that my parents have already spent a lot and can't give swift car. On which the attitude of accused changed, they stated taunting for less dowry and also gave beatings which I tolerated that everything will be ok. 6) That after marriage my husband and other accused started harassing me and kept fighting with me and many times I was turned out of my in-laws house family and my parents pleaded before accused not to turn we out of house, but accused said that as long as our demand of Swift car is not met, we shall not allow her to live here and did not stop the harassment even after repeated requests by my parents. Left with no option, my father paid 1 lacs rupees to accused on 27-01-2011 (sic) but accused were not satisfied. Said 1 lacs was withdrawn from A/C No. 55040924149. 7) Thereafter the accused stated saving that it is difficult to us to live in a rented house and they demanded Rs. 20 lacs in December 2021 to buy a house. When my parents could not fulfill the said demand of the accused, they

started harassing me. 8) That in April 2022 the accused were not happy with the one lacs paid by my parents, they started demanding more money and on my refusal, they started giving me beatings and turned me out of the house and I came back to my parents house. We 20-25 days later my parents gathered the relatives of both sides where my husband and other accused admitted their mistake and impresses upon my parents that they will not make any demand of dowry in future and will not harass me. After which I went on my in-laws house in Zirakpur. 9) In August 2022 my husband said that I have taken money from many people for sending abroad but I had not sent them, due to which the said persons are threatening to give complaint to police for playing fraud with them and I have to return the money and he pressurized me to bring Rs. 3 lacs from my parents. When I told this to my father, he agreed to give Rs. 3 lacs to settle me. In August 2022 on Rakhi day, husband and I went to my parents house where he demanded Rs.3 lacs from my father which were given cash to me. 10) That on 26.09.2022 at about 3 P.M. my husband, brother-in-law and sister-in-law started abusing me while demanding dowry and my father-in-law and mother-in-law had also come to Zirakour that day and the accused did not give me anything to eat to that day and kept me shut in a room. At 9:00 P.M. accused Vikram Singh came to my room, pulled my hair and gave first blows in my stomach. On which I raised alarm. After which Joga Singh came to my room and caught hold my arms and accused Parkash Kaur gave me slaps and my sister-in-law watched this and did not try to rescue me. After which I told my father everything over phone call and my father came to my in-laws home at Zirakpur on 27.09.2022 where all accused were present and all the accused in connivance with each other gave me beatings and demanded dowry and turned me out of the house and also insulted my parents and I am living my parents since then. 11) That my brother-in-law Joga Singh often used bad language with me and in May 2022, Joga Singh, my husband Vikram Singh and Parminder Kaur forcefully got some blank papers signed and threat that If I give any complaint any in Panchayat and police, we shall misuse these papers against me and finish my life. 12) My husband never gave me any money for domestic needs and when I asked my husband for money for myself, he said to get it from my parents, due to which since my marriage my parents had given money to the accused many times.

13) That all my dowry article are in possession of the accused which are lying at their village Seevan in which Sofa Set, box, beddings and fridge and the remaining articles are in their possession at Zirakpur. My mother in laws kept all my jewelry and did not give me to use. All the accused instigate my husband for dowry due to which accused No. 1 said that I will live with you in case you give me Swift and Rs. 20 lacs and as long as their demand are not met they will keep harassing me. 14) That my parents have convened panchayats many times in which apart from my in-laws family Surinder Singh, Sukhdv Singh son of Kartar Singh, resident of Panipat etc. were also present but the accused are illegally harassing me due to demand of dowry. 15) That all my istri-dhan is in possession of my in-laws and they are they are misappropriating my istri dhan. 16) That the accused do the work of immigration and are criminal minded person. Accused Vikram Singh and Joga Singh defrauded many unsuspected persons and taken lacs of rupees and the accused are openly threatening me that they are not scared of courts, do whatever you can. 17) That my parents have been meeting the accused and have been requested them to allow me to live in the in-laws family but the accused on 20.02.2023 said that if you don't fulfill the demand of dowry we shall not take complainant Kamalpreet Kaur back. 18) That till date me and my family did not pursue any proceedings against my in laws family's wrong demand and ill treatment because I want to cohabit with them but the accused are still committing the same acts and are demanding swift car and Rs. 20 lacs. Hence by presenting this application it is requested that legal action be taken against all accused mentioned in the head note.”

Learned counsel for the petitioner inter alia submits that the petitioner was married to the complainant on 15.7.2020 and no child was born out of the said wedlock. Learned counsel states that general and omnibus allegations have been levelled against the petitioner and his entire family, which are false and fabricated. It is submitted that since the marriage was solemnized during the Covid period, so, there is no question of performing any lavish marriage during the said period. However, learned counsel submits that petitioner is ready to join the investigation and undertakes to cooperate in the investigation.

Notice of motion.

On asking of the Court, Mr. Jaswinder Singh Arora, DAG, Punjab accepts notice on behalf of respondent-State and seeks time to file detailed status report in the matter.

Adjourned to 01.12.2023.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-”

4. Learned counsel appearing on behalf of the respondent-State on instructions from ASI Tejinder Pal Singh has informed that the petitioner has joined the investigation and is not required for custodial interrogation. While referring to paras 7 and 8 of the status report, he submits that the dowry articles have been recovered during the investigation. Relevant paras of the status report read as under:-

“7. That thereafter, the petitioner has filed present petition for grant of anticipatory bail, in which, this Hon'ble Court vide order dated 14.09.2023 was pleased to direct the petitioner to join investigation with the police and accordingly, the petitioner has joined investigation with the police on 04.11.2023 and at that time, the petitioner got recovered A.C., Dressing Table, Refrigerator, Sofa Set, L.E.D, one Almirah, Box Bed, suits and other items with the investigating agency.

8. That thereafter, again the petitioner joined the investigation 20.11.2023 and he got recovered, 4 gold rings, 3 pairs of gold earrings with the investigating agency and some of the dowry articles/Istridhan i.e. one gold Karra and three gold rings are yet to be recovered from the petitioner.”

5. In view of the reasons recorded in the order dated 14.09.2023 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 14.09.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

(HARPREET KAUR JEEWAN)
JUDGE

25.01.2024

P.Bhatt

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