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2024 : PHHC : 009954

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52542-2022

DATE OF DECISION : 24.01.2024

HARMANDEEP SINGH JAMBH

... PETITIONER

V/S

STATE OF PUNJAB & ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Balbir Singh, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG Punjab.

Mr. N.K.Banka, Advocate for the complainant.

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HARPREET KAUR JEEWAN, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case bearing FIR No. 19 dated 03.10.2022 under Section 498A IPC registered at Police Station NRI, District SAS Nagar, Mohali.

Learned counsel for the petitioner *inter alia* contends that the marriage of the petitioner was solemnized with the daughter of the complainant on 25.11.2012. At the time of marriage, the petitioner was living in UK on work permit and he invited his wife to England. Ultimately, in the month of June, 2017 both came back to India and started residing in Mohali. Petitioner got a Govt. job in the year 2018 and he used to remain at the place of his posting at Amritsar. The wife of the petitioner called her step-mother to look after her when she became pregnant and thereafter, the dispute arose between the parties. On 15.07.2021, the complainant and the

step-mother abused the petitioner and his old age parents. Petitioner gave a complaint to the Police but no action was taken and thereafter, the petitioner filed a petition in the High Court bearing CRM-M-29262-2022. As a counter-blast to the said petition, the complainant got registered the present FIR.

Learned counsel for the petitioner further contends that petitioner had already joined the investigation in compliance of the order of this Court dated 15.11.2022.

Learned State counsel, upon instructions from ASI Gursewak Ram, confirms that the petitioner has joined the investigation and submitted that he is no more required for custodial interrogation.

Learned counsel for the complainant has opposed the bail application on the ground that no recovery has been effected. There are allegations in the FIR regarding entrustment of dowry articles including the gold ornaments. Ornaments have not been returned by the petitioner and his family members.

During the arguments, learned counsel for the petitioner candidly offered that the petitioner is ready to pay a sum of Rs. 3,000/- p.m. to his minor child as maintenance during the pendency of the petition which has been filed by the complainant and is pending before the concerned Court.

The petitioner has joined the investigation. The matter was also referred to Mediation Centre but mediation has failed. The petitioner has agreed to assist his minor child financially who is in custody of his wife. The allegations of the parties are matter of trial.

Keeping in view the entire facts and circumstances of the case, the order of interim bail dated 15.11.2022 is made absolute, subject to the condition that petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. and subject to the condition that petitioner continues adhering to his undertaking given in the Court for payment of interim maintenance to his minor child.

24.01.2024

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**(HARPREET KAUR JEEWAN)
JUDGE**

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