



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

215

CRM-M-48334-2024

Date of decision :09.12.2024

Sumit Kumar

.....Petitioner

VERSUS

State of Punjab and another

....Respondents

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

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

Mr. Malkit Singh Dhillon, DAG, Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 the Bhartiya Nagrik Suraksha Sanhita 2023, for issuance of direction to the arresting officer to release the petitioner on bail forthwith in event of his arrest in case FIR No.69 dated 30.04.2024 (Annexure P-1), under Section 498A of Indian Penal Code 1860 (Section 323 IPC, 1860 was added later on as per the status report filed by the State), registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.
2. Learned counsel for the petitioner submits that the allegations against the petitioner and his father were found to be false. Petitioner is husband of respondent No.2. It is a matrimonial dispute and the petitioner is ready to join the investigation.
3. On the other hand, learned State counsel opposes the present petition. Referring to the status report, learned State counsel informs that as per the medico-legal report, there are 8 injuries on the person of respondent No.2, which were caused with blunt weapon. Injuries No.1 to 4, 7 and 8 were



kept under observation. However, the complainant/respondent No.2 did not get conducted her X-ray examination and Gynae examination, as such, the said reports could not be obtained and final opinion regarding injuries except injury Nos.5 and 6 could not be obtained.

4. I have heard learned counsel for the parties and perused the paper book.

5. As per the version in the FIR, the marriage of the petitioner was solemnized with complainant-respondent No.2 on 16.02.2021. There are allegations that the petitioner used to come home by consuming drugs and used to abuse the complainant physically. There are also allegations that the petitioner pressurized the complainant to abort the child but she did not agree and ultimately, a son was born to her on 11.08.2022. There are other allegations that the petitioner was demanding a car and money from her parental home and on refusal by the complainant-wife, the petitioner started beating her with a stick and her mother-in-law caught hold of her hair, and thereafter she was locked in a room and her son was snatched away. On the next day in the morning, when the room was opened, the complainant ran away towards her parental home and got her medically examined. As per the Medical Legal Report, eight injuries were found on the person of the complainant.

6. Keeping in view the allegations against the petitioner, which are corroborated by the medical examination report, the petitioner is not entitled to the concession of anticipatory bail.

7. Consequently, the present petition is dismissed.

(HARPREET KAUR JEEWAN)
JUDGE

09.12.2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No