



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-49756-2024 (O&M)
Date of decision: 08.11.2024

ROHIT KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. P.S. Jammu, Advocate with
Mr. Om Pal Potlia, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. G.S. Khosa, Advocate
for respondent No.2

HARPREET KAUR JEEWAN , J.

1. The present petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No.177 dated 09.09.2024 under Sections 498-A and 406 IPC (now Sections 85, 316(2) of the BNS Act) registered at Police Station City Moga, District Moga.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The love marriage between the petitioner and complainant was solemnized on 27.04.2022 and out of the said wedlock, a daughter was born on 11.02.2023. After the marriage, the complainant was



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employed as Deputy Manager in HDFC Bank and she was getting a salary of Rs.52,000/- per month. As such, the complainant became independent and started having disputes with the petitioner. On 08.05.2024, the complainant had given beatings to the petitioner and regarding the said incident, petitioner made a complaint to the police, upon which DDR No.49 dated 09.05.2024 (Annexure P-2) was registered. After the registration of the said DDR, the complainant moved a complaint to the police, upon which, the present FIR was registered on false allegations. He submits that the petitioner is ready to settle the dispute with the complainant and he is willing to withdraw the divorce petition, which has been filed by him.

3. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner.

4. Learned counsel for respondent No.2 submits that even prior to the marriage, the petitioner-accused started making demands of money. After the marriage, there was a demand of Creta car and respondent No.2 got booked the said car by spending sum of Rs.25,000/- vide payment receipt (Annexure R-6). Apart from this, various payments had been withdrawn by respondent No.2 from the bank prior to the marriage and at many instances many payments had been sent to the petitioner by respondent No.2 (Annexures R-5, R-7 and R-8).

5. After the marriage, respondent No.2 was physically assaulted and Medico Legal Report dated 18.09.2023 (Annexure R-1) was prepared by the Medical officer, Civil hospital, Moga. However, later on, the matter was compromised and respondent No.2 again started living in her matrimonial house. Ultimately, the petitioner persisted with the demand of Creta car and starting giving threats to respondent No.2 that he would solemnize marriage with someone



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else after getting divorce from her.

6. I have heard the learned counsel for the parties at length and perused the relevant documents.

7. No doubt, in a matrimonial dispute, efforts should always be made for reconciliation of the matter, however, in the present case there are various online transfers made by respondent No.2 in favour of the petitioner.

8. Learned counsel for the petitioner submits that he has instructions that the petitioner wants to reconcile the matter, however, he has no instructions that any amount can be deposited in advance with the Registrar General of this Court to show *bona fide* of the petitioner.

9. It is noticed that there was a history of physical assault, upon which medical examination of respondent No.2 was conducted and Medico Legal Report dated 18.09.2023 (Annexure R-1) has been appended along with the reply dated 23.10.2024 filed on behalf of respondent No.2.

10. It is further noticed that despite having a physical assault in September 2023, the parties again started living together by reconciling the matter, however, the offer given by the petitioner that he is ready to compromise the matter does not appear to be genuine as he has already filed a divorce petition. There are specific allegations that there was a demand of Creta car and receipt (Annexure R-6) shows that payment of Rs.25,000/- was made for booking of the car by the respondent No.2. The said documentary evidence corroborates the oral contentions in the FIR.

11. Keeping in view the fact that there are specific allegations regarding the demands having been made after the marriage and the previous history of physical assault, no ground is made out to grant concession of anticipatory bail to



the petitioner.

- 12. Consequently, the petition stands dismissed.
- 13. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
- 14. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

08.11.2024
P.Bhatt

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