



102-2 cases

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:- 28.01.2025

(1) CRM-M-8236-2024 (O&M)

NAGESHWAR PRASAD SINGHPetitioner

Vs.

STATE OF PUNJAB ...Respondent

(2) CRM-M-25141-2024 (O&M)

CHANDAN SINGHPetitioner

Vs.

STATE OF PUNJAB ...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amandeep Singh, Advocate for Mr. N.R. Swetabh,
Advocate for petitioners in both cases.

Mr. Kewal Singh, Addl. A.G. Punjab

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Nageshwar Prasad Singh [in CRM-M-8236-2024] and petitioner –Chandan Singh [in CRM-M-25141-2024] have filed instant petitions under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.112 dated 31.12.2023 under Sections 406 and 498-A of IPC registered at Police Station Women Cell SAS Nagar, Mohali, Punjab. These petitions are taken up together for hearing and decision being arisen out of the same FIR, at request and with consent of learned counsel for the parties.

2. As per facts of case, complainant Smriti Devi filed written complaint against her husband Chandan Singh, father-in-law Nageshwar



Prasad Singh, Chandani Singh, Charu Singh, Neetu Singh and Suyal Vanita for harassment to the complainant for demand of dowry. It is submitted that complainant got married with Chandan Singh on 24.11.2017 at City Palace, Zirakpur according to Hindu Rites. She was given costly gifts in the shape of gold ornaments, household articles, etc. A sum of Rs.7 lakhs were spent on the arrangement of marriage and about Rs.28 lakhs were spent by her father in the entire marriage. As per their demand, her father had given Rs.7 lakhs in cash, Rs.1 lakh for Iphone and other gifts to the relatives before marriage. Her father-in-law gave five different account numbers to her father and the amount was deposited in the said accounts. At the time of *tilak* ceremony, her father had given Rs.1 lakh in cash, Iphone, clothes, etc. to her husband Chandan Singh. After some time on her marriage, family members started taunting her that her parents did not give car in the marriage. She was harassed on petty matters in order to pressurize her to bring car from her parents. She was abused and teased by her in-laws family. Later-on, she came to know about her husband Chandan Singh's illicit relations with girl namely Suyal Vanita. She was often told that she could not give birth to a child and threatened to remarry her husband. She has narrated various incidents when she was ill treated in the matrimonial home. Finally she was sent to her parental house on 20.06.2022 and since then she is living in her parents house. In this way, her married life has been ruined by the aforesaid accused persons.

3. Learned counsel representing both petitioners denied allegations while arguing that all the facts narrated in the complaint are false and fabricated. Their anticipatory bail applications filed before learned



Additional Sessions Judge, Mohali were declined without any valid reason. Marriage was performed in a simple manner. Petitioner Nageshwar Prasad Singh had also purchased car in the year 2016 and there was no necessity to demand for another car from the complainant. Regarding transfer of Rs.7 lakhs in different accounts, learned counsel for petitioners stated that since father of the complainant was travelling from Chandigarh to Delhi for *tilak* ceremony, therefore, it was not possible to carry cash amount and for this purpose different amount has been transferred in different accounts. No money was received in the account of petitioners. Complainant was always treated nicely in the matrimonial home. In-fact, there are allegations levelled against complainant. Petitioners have already joined investigation in pursuance of interim bail granted in their favour. They are still ready to join the investigation as and when required. Therefore, anticipatory bail applications filed by petitioners be allowed.

3. Learned counsel representing State opposed the bail applications on the ground that despite granting interim bail in favour of both petitioners, they did not cooperate with the Investigating agency. No recovery could be effected. Therefore, investigation is incomplete. It is submitted that custodial interrogation of both the petitioners is required to take the investigation to its logical end.

4. I have considered the arguments and have gone through the record carefully. It is matter of record that petitioner Nageshwar Prasad Singh was granted interim relief with the direction to join investigation vide order dated 02.05.2024 in CRM-M-8236-2024 whereas petitioner Chandan Singh was granted interim bail vide order dated 18.05.2024 in CRM-M-



25141-2024. Thereafter, matter remained pending and during this period both petitioners availed the interim relief granted in their favour. As per the status report, both petitioners did not cooperate with the investigating agency as a result interim protection granted in favour of both petitioners was vacated by coordinate Bench vide order dated 26.11.2024. As per the status report filed in this case, no recovery has been effected. During investigation, it was confirmed that at the instance of petitioners, huge amount was transferred in the account of different persons which were later-on received in cash by petitioner - Nageshwar Prasad Singh. Things were done in an organized manner. Petitioner Nageshwar Prasad Singh has not disputed this fact. Rather he has tried to explain why it was done. There are specific serious allegations of maltreatment despite receiving huge dowry and ill treatment continued to the complainant to satisfy their unauthorized demand. Even against Chandan Singh there are allegations for having extramarital affair. Even after the registration of FIR, there was no cooperation from the side of present petitioners. For the purpose of investigation in this case, recovery of dowry articles is material. Investigation is incomplete. In view of aforesaid facts, I do not find merits in the anticipatory bail applications filed by petitioner – Nageshwar Prasad Singh [CRM-M-8236-2024] and petitioner –Chandan Singh [CRM-M-25141-2024] and the same are accordingly declined.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly.



6. Photocopy of the order be placed on the file of above-mentioned connected case.

28.01.2025
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(AMARJOT BHATTI)
JUDGE

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