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

CRM-M-9486-2025

Date of Decision:- 25.03.2025

MOHAMMAD TOSIF

....Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vivek Singla, Advocate for the petitioner.

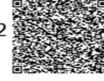
Mr. Kewal Singh, Addl. A.G. Punjab.

Mr. Munish Garg, Advocate for respondent No.2.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.51 dated 30.08.2024 under Sections 498-A and 406 of IPC registered at Police Station Mehal Kalan, District Barnala (Annexure P-1).

2. As per facts of the case, complainant Nazma Begam filed written complaint that about 4 years ago she got married with Mohammad Tosif. At the time of marriage, her parents had given dowry beyond their status. Marriage was performed in a palace where Rs.5 lakhs were spent. Her parents had given gold ornaments. After marriage, they started living as husband and wife. There is no child out of this wedlock. She came to know that her husband was a drug addict. She was taunted by her husband and in-laws family for bringing less dowry. When their demand was not fulfilled, they started beating her. Her parents in order to settle her marriage gave cash

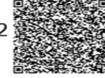


of Rs.7 lakhs in the presence of Panchayati persons and video recording was done. Again after some time, her in-laws family started harassing her. Her husband was addicted to heroin. They further raised demand for Rs.10 lakhs. Her in-laws told her that money was required to arrange drugs for her husband. On 15.05.2023, she was turned out of the house after giving her beating. She is living in her parental house for the last about one year. With these allegations, present FIR was registered.

3. Learned counsel for petitioner pointed out that allegations are false and frivolous. No recovery is to be effected from the petitioner. Therefore, custodial interrogation is not required. He is ready and willing to join the investigation as and when required. He is involved in three other cases in which he is on bail. He will abide by the terms of bail order. Therefore, he may be granted anticipatory bail.

4. Status report filed. Learned counsel representing State assisted by counsel for complainant/respondent No.2 argued that there are specific allegations regarding maltreatment on account of demand of dowry. Petitioner was granted interim protection by learned Sessions Judge, Barnala and it was referred to Mediation. On account of failure of mediation, interim bail was cancelled vide order dated 21.01.2025. Petitioner is involved in three other FIRs detailed in the status report out of which one of the FIR is under Section 302 of IPC. Dowry articles are yet to be recovered. Considering the seriousness of offence, he is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. There are specific serious allegations regarding maltreatment on



account of demand of dowry. Dowry articles are yet to be recovered. As per order passed by learned Sessions Judge, Barnala dated 21.01.2025 (Annexure P-2), efforts were made for reconciliation but it failed. Till date dowry articles have not been recovered. He is involved in three other serious cases. In light of this, custodial interrogation of petitioner is required. Therefore, finding no merits in the anticipatory bail, same is declined.

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

(AMARJOT BHATTI)
JUDGE

25.03.2025

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