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

CRM-M-22747-2023

Date of Decision:- 17.02.2025

Sagar Garg

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Nikhil Ghai, Advocate and
Mr. Gurjas Singh Gill, Advocate
for the petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. C.M. Munjal, Advocate
for respondent No. 2.

AMARJOT BHATTI, J.(Oral)

1. Petitioner Sagar Garg has filed anticipatory bail petition under Section 438 of Cr.P.C. in case FIR No. 34 dated 20.04.2023 under Section 498-A/406 of IPC registered at Police Station Dirba, District Sangrur, Punjab.

2. As per the facts of case, complainant Neetu Singla filed detailed complaint against her husband Sagar Garg and other members of in-laws' family that she got married with Sagar Garg on 27.08.2017. Out of this wedlock, she gave birth to a son, who is around 4 years of age. Complainant has given detail of cash amount, gold ornaments and other articles given at the time of Shagun and marriage ceremony. Her father had

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given furniture, AC, Fridge, utensils, beddings, clothes etc. Soon after marriage, she was ill-treated in matrimonial home for bringing less dowry. She was continuously insulted and harassed on account of their demand for gold jewellery and Innova car. Matter was settled in Panchayat. Her parents transferred Rs. 7 lacs in the sheller of accused persons. She has given detail of other amounts given in cash to her husband from time to time. There was no change in their behaviour. Panchayats were convened but there was no change in behaviour of her husband and in-laws' family and ultimately present FIR was registered.

3. Learned counsel for petitioner argued that petitioner is ready to reconcile the matter and offered Rs. 12 lacs towards alimony. They are ready to handover the articles regarding which complainant is having bills. It is conceded that child is staying with his mother. Petitioner was granted interim relief to explore the possibility of compromise, but it failed. He was also granted interim bail vide order dated 03.10.2023 and accordingly, he has joined investigation. It is prayed that anticipatory bail petition filed by petitioner may be allowed.

4. Bail petition is opposed by learned counsel representing complainant taking the stand that no amicable settlement could be arrived at. Mediation has also failed. Offer given by petitioner for compromise is not genuine. Till date, no dowry article has been recovered.

Status report is filed, confirming the stand taken by learned counsel for complainant that till date no recovery of dowry articles has been effected. Therefore, to complete the investigation, his custodial interrogation is required.

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5. I have considered the arguments and have gone through the record carefully. As per file, right from day one, petitioner was granted interim relief to explore the possibility of compromise vide order dated 05.05.2023. During this period, he was also granted interim bail vide order dated 03.10.2023. Matter was also referred to Mediation and Conciliation Centre, but it failed. There is a counselling report confirming that petitioners are not interested to stay together but even regarding parting ways, no consensus regarding permanent alimony could be arrived at. Therefore, in nutshell, matter could not be settled between the parties.

The contents of FIR indicate that parents of complainant had given dowry articles, cash amount from time to time as detailed in FIR. Till date, no dowry article or any cash amount has been returned by present petitioner despite availing interim relief for a period of about 1 year 09 months. Not even a single dowry article has been returned by him. In order to complete the investigation, recovery of dowry articles is essential. Petitioner has not cooperated with Investigating Agency. Considering the aforesaid factual position, interim bail already granted by this Court in favour of petitioner is accordingly vacated and anticipatory bail petition filed by him stands dismissed.

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

17.02.2025

*lalit***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No