



209

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

CRM-M-43384-2023

Date of Decision:- 24.03.2025

HARMESH SINGH

....Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Kamal Narula, Advocate for petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

Mr. Aarish Kamboj, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.86 dated 25.06.2023 under Sections 406, 498-A IPC and Section 4 of Dowry Prohibition Act, 1961 registered at Police Station Sadar Jalalabad, District Fazilka.

2. As per facts of the case, complainant Manjinder Kaur filed written complaint against her husband and other members of in-laws family alleging that her marriage was solemnized with Harmesh Singh on 02.04.2021 at village Sohna Saad. Her parents had spent Rs.10 lakhs approximately on her marriage. She was given gold ornaments and gold ornaments to the family members of her husband along with customary gifts. She was given dowry articles consisting of furniture wooden Almirah, fridge, washing machine, LCD and other household articles. After few days of



marriage, accused started taunting her for bringing less dowry. Her husband used to beat her at the instance of other family members. There was demand for bullet motorcycle or cash of Rs. 2 lakhs. Her parents had already spent huge money on her marriage and they were unable to satisfy their demand. She continued to live in the matrimonial home with a hope that things will become all right but they insisted on their demand. On 01.11.2022 she was given beating and turned out of the matrimonial home with the aforesaid demand. Since then she is living in her parental house. A panchayat was also convened to effect compromise but they did not agree. Ultimately, present FIR has been registered.

3. Learned counsel for petitioner pointed out that petitioner was granted interim bail by this Court vide order dated 01.09.2023. He has already joined the investigation. It is denied that he was given any dowry. Allegations regarding maltreatment on account of demand of dowry are false. There is no MLR of the complainant to support her version. Petitioner has joined investigation, therefore, his anticipatory bail application may be allowed.

4. Status report filed confirming the facts stated in the FIR. It is pointed out that petitioner joined investigation on 14.09.2023 but he did not cooperate nor any dowry articles are recovered.

5. Bail application is opposed by learned counsel representing complainant who also filed reply. It is pointed out that *istridhan* of respondent No.2 is yet to be recovered. Therefore, he is not entitled to be released on anticipatory bail.

6. I have considered the arguments and have gone through the



record. Present petitioner was granted interim bail vide order dated 01.09.2023 which continued till 10.02.2025. During this entire period, petitioner did not cooperate in the recovery of dowry articles. Matter was also referred to Mediation and Conciliation Centre but it did not bear any fruitful result. Even thereafter, ASI Jaswant Singh categorically stated that petitioner did not join investigation in compliance to order dated 18.10.2024. He was directed to deposit costs of litigation of Rs.50,000/- by way of demand draft and to rejoin the investigation. Even said order is not complied with. Investigating agency made it clear that nobody appeared on behalf of petitioner. Considering the aforesaid factual position, it is clear that petitioner did not cooperate with the investigation agency rather he stopped appearing before the Investigating Officer nor dowry articles could be recovered.

7. Considering the specific allegations and aforesaid factual position, anticipatory bail application filed by petitioner is accordingly declined.

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

24.03.2025

snd

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:

Yes/No.

Whether reportable:

Yes/No