

2025.PHHC.012925



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

CRM-M-44548-2023 (O&M)

Date of Decision:- 28.01.2025

NAVJOT SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND ANR

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Aayush Gupta, Advocate for petitioner.

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

Mr. Gulzar Mohammad, Advocate for respondent No.2.

AMARJOT BHATTI, J.

CRM-36796-2024

Learned counsel for applicant/petitioner has filed an application for placing on record copy of petition dated 11.08.2024 (Annexure A-1) and copy of order dated 14.08.2024 (Annexure A-2).

Learned counsel for the State submits that he has no objection to the application being allowed.

For the reasons mentioned in the application and no objection suffered by State counsel, application is allowed and accompanied documents are taken on record as Annexures A-1 and A-2.

Main case.

1. Petitioner has filed instant petition under Section 438 Cr.P.C for

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grant of anticipatory bail in FIR No.104 dated 05.07.2023 under Sections 406, 498-A, 354-A IPC registered at Police Station Model Town, District Police Commissionerate, Ludhiana (Annexure P-1).

2. As per the facts of the case, Harneet Kalsi filed written complaint against her husband Navjot Singh and others with the allegations of harassment and physical abuse to the complainant in the matrimonial home. Marriage of complainant took place with Navjot Singh Kalsi on 17.05.2014. She was given huge dowry articles consisting of gold ornaments, expensive clothes, furniture, household articles and Honda City car bearing registration PB-10-ET-0650 . Out of this wedlock, she gave birth to a son on 28.01.2017. Complainant has given detail of various incidents which took place in matrimonial home for causing physical and mental trauma. She was continuously ill treated in the matrimonial home. She informed her parents from time to time but matter could not be settled. Ultimately, she came to her parental house on 23.02.2022. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner pointed out that he was granted interim relief during the pendency of present bail application. He was also directed to join investigation as per order dated 14.09.2023. He has fully cooperated with the investigating agency as a result dowry articles have been recovered. Photographs while handing over dowry articles are Annexure P-10 & P-11. He is still ready to join investigation as and when required. Therefore, interim bail already granted in his favour may be confirmed.

4. Bail application is opposed by learned counsel for respondent

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No.2. It is pointed out that some of the gold ornaments are yet to be recovered. Complainant was continuously maltreated in the matrimonial home. Allegations are specific and serious in nature. Present petitioner is the main accused. Therefore, he does not deserve the concession of anticipatory bail.

5. Detailed status report has been filed. Learned counsel representing State confirmed that petitioner joined the investigation and has given list of dowry articles which are recovered from the present petitioner as Annexure R-2. List of dowry articles provided by the complainant is Annexure R-3. It is confirmed that on account of this matrimonial dispute, other litigation has also started.

6. I have considered the aforesaid factual position. This case has arisen out of matrimonial dispute. Matter was also referred to Mediation and Conciliation Centre but unfortunately matter could not be settled. It is matter of record that petitioner was granted interim relief with the direction to join the investigation. Status report shows that at the instance of present petitioner, dowry articles are recovered. List of recovered dowry articles is Annexure R-2. In case there is any dispute regarding dowry articles claimed by complainant/respondent No.2 that is matter of trial which can be adjudicated on the basis of evidence led by the parties. In view of the aforesaid factual position, anticipatory bail filed by petitioner is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will

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not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438 (2) of Cr.P.C.

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

(AMARJOT BHATTI)
JUDGE

28.01.2025
snd

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