



CRM-M-55748-2023

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

(274)

CRM-M-55748-2023

Date of Decision : 06.02.2025

Varun Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Raghav Soni, Advocate and
Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, filed under Section 438 of Cr.P.C., a prayer is made for grant of relief of anticipatory bail to the petitioner in case FIR No.92 dated 01.10.2023 (Annexure P-1), under Section 498-A of the IPC, 1860 (Section 406 of IPC, added later on), registered at Police Station Women Cell, District Amritsar.

2. This Court, vide order dated 09.11.2023, had issued notice of motion in the instant petition, as well as directed the petitioner to join the investigation, and in the meanwhile, his arrest was stayed. The complainant was impleaded as respondent No.2, in this case, and the petitioner was directed to serve the respondent No.2. However, the service upon the respondent No.2 was not completed, and therefore, again a direction was given to the petitioner to take necessary steps to serve the respondent No.2.

3. On dated 09.07.2024, it was informed by the learned State counsel, on instructions imparted to him by ASI Onkar Singh, that though the petitioner in deference to the order passed by this Court, has joined the

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investigation, and got recovered some of the dowry articles. However, the other dowry articles, as mentioned in the list, attached with the FIR, has not been got recovered. It was further informed by the learned State counsel that the investigation with regard to the remaining dowry articles has been conducted, and it was verified that some of the dowry articles are lying with the present petitioner.

4. Faced with the above difficulty, learned counsel for the petitioner had sought one last opportunity to the effect that the petitioner would join the investigation, and he assured this Court, that the petitioner will hand over the entire remaining dowry articles to the investigating officer, concerned.

5. In view of the specific undertaking made by the learned counsel for the petitioner, the matter was adjourned. On the subsequent date, the position remain the same, neither the petitioner joined the investigation, nor has he handed over the dowry articles.

6. On dated 22.08.2024, the petitioner came up with a new plea that he wants to settle the dispute with the respondent No.2, amicably. On the basis of the said submission, the matter was adjourned to await the service to be effected upon the respondent No.2, and the interim direction was ordered to be continued. However, no corrective steps were taken by the petitioner, to serve the respondent No.2, and he kept enjoying the interim relief granted by this Court, which led to this Court, to impose a cost of Rs.5,000/-, upon the petitioner, vide order dated 09.12.2024, to be deposited with the District Legal Services Authority, concerned, and to take corrective measures to serve the unserved respondent No.2.

7. This Court, vide order dated 16.01.2025, had passed the hereinafter extracted order, upon the instant petition :-



“Neither a receipt regarding payment of the cost imposed vide last order dated 09.12.2024, upon the present petitioner, has been furnished, with the Registry of this Court, nor the petitioner has taken any steps to serve respondent no.2, rather a written request for an adjournment has been circulated on behalf of the learned counsel for the petitioner on account of some personal difficulty.

Purely in the interest of justice, the matter is adjourned to 23.01.2025.

It is made clear that no further request for adjournment on behalf of either of the parties concerned, shall be entertained on the next date of hearing.

To be shown in the urgent list.”

8. On the adjourned date, i.e. 23.01.2025, it was informed by the learned counsel for the petitioner, that the petitioner is admitted in rehabilitation centre, therefore, directions issued by this Court, could not be complied with.
9. Today, learned counsel for the petitioner has made yet another request for extending the interim relief. The petitioner, as on date, neither took corrective measures/steps to serve the unserved respondent No.2, nor has deposited the cost of Rs.5,000/-, which was imposed upon the petitioner, vide order dated 09.12.2024, and even, the petitioner did not join the investigation, despite specific directions given by this Court, therefore, this Court, at this stage, is left with no other option, but to dismiss the instant petition.
10. Consequently, the instant petition is **dismissed**.

(KULDEEP TIWARI)
JUDGE

February 06, 2025

MANPREET SINGH
2025.02.11 09:29
I attest to the accuracy and
authenticity of this
order/judgment

Manpreet

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No