



204

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-56037-2023  
Date of decision: 21.01.2025

RAMAN SHARMA ALIAS RAMANDEEP SHARMA

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Veer Vikrant Singh Mann, Advocate for the petitioner.  
(Through Video Conferencing)

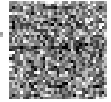
Ms. Seena Sandhu, Addl. A.G., Punjab.

Mr. Saqib Ali Khan, Advocate for respondent No.2.

\*\*\*\*

**JASGURPREET SINGH PURI, J. (Oral)**

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.50 dated 22.06.2023, under Sections 406 and 498-A of the IPC, registered at Police Station Women Cell, Patiala, Punjab.
2. Learned counsel for the petitioner, who has joined the proceedings through video conferencing submitted that the petitioner has already joined the investigation in pursuance of the order passed by this Court on 07.11.2023. He further submitted that it is a case where there was no entrustment of any *istridhan* at the time of marriage of the petitioner and respondent No.2 because respondent No.2 belongs to a poor family and no specific allegation has been made in the FIR with regard to specific entrustment. He also submitted that



even otherwise the petitioner has already joined the investigation and he also undertakes to further join the investigation, in case it is so required by the Investigating Agency.

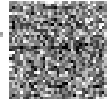
3. On the other hand, Ms. Seena Sandhu, Addl. A.G., Punjab submitted on instructions that in pursuance of the order passed by this Court on 07.11.2023, the petitioner has already joined the investigation but he has not returned any item of *istridhan* in pursuance of the list which was prepared by respondent No.2.

4. Learned counsel for respondent No.2 submitted that the aforesaid list was given to the Investigating Agency and till date no item has been returned back to respondent No.2.

5. At this stage, learned counsel for the petitioner submitted that preparation of the list was only after the aforesaid order was passed by this Court on 07.11.2023, whereby the petitioner had stated that he will return all the *istridhan* to respondent No.2, whereas the *istridhan* constituted only some clothes and other articles which have already been returned and there was no expensive item given to the petitioner or his family in this regard and that is the reason as to why nothing has been so specifically mentioned in the FIR and therefore, in the absence of any allegation pertaining to specific entrustment of any specific article, the list which was prepared by respondent No.2 was an abuse of the process of law.

6. I have heard the learned counsels for the parties.

7. In pursuance of the order passed by this Court on 07.11.2023, the petitioner has already joined the investigation. Now the dispute is only as to whether the petitioner is withholding any item of *istridhan* or not. A perusal of



the FIR would show that there is no allegation of specific entrustment of any article. Although some list is stated to have been given to the Investigating Agency with regard to some items but so far as the prayer of the petitioner for grant of anticipatory bail is concerned, considering the fact that he has already joined the investigation and it is to be proved at the time of trial as to whether any specific item was entrusted with the petitioner or his family or not, the petitioner deserves the concession of anticipatory bail. Apart from the above, the matter was also considered by the Mediation and Conciliation Centre of this Court but mediation has already failed.

8. Therefore, considering the aforesaid totality and circumstances of the present case, this Court is of the considered view that on the basis of the aforesaid contention of the learned counsel for respondent No.2 that the articles of *istridhan* have not been returned, in the absence of any specific allegation in the FIR itself, liberty of the petitioner cannot be jeopardized because of the aforesaid reason especially when he has already joined the investigation.

9. Consequently, the present petition is allowed. The order dated 07.11.2023 is hereby made absolute.

10. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

21.01.2025  
Chetan Thakur

(JASGURPREET SINGH PURI)  
JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |