

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

CRM-M-19912 of 2015

Date of Decision: August 18, 2015

Devinder Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Naveen Bawa, Advocate
and Achin Gupta, Advocate
for the petitioners.

Mr. C.S. Brar, DAG, Punjab

FATEH DEEP SINGH, J.

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.60 dated 01.05.2015 under Sections 498-A,406,420 IPC (later on added offences under Sections 419,465,467,468,471,120-B IPC) registered at Police Station, City Kotakpura.

The allegations against the petitioners Devinder Kaur mother-in-law, Pardeep Kumar brother-in-law and Bittu @ Balvir Chand paternal uncle-in-law in this anticipatory bail application are that a marriage was solemnised on 7.9.2013 between principal accused Twinkle Singh-husband and complainant Kamalpreet Kaur-wife. On the complaint of the wife the present case was registered, whereby, it was alleged that articles of *Istri Dhan* were handed over to each of the accused including husband and that marriage was performed on the promise of the husband to take the wife to Australia, who is working as Nurse but who backed out of the same. The contention of the learned counsel for the petitioners that there is no role attributed to the

petitioner No.2-Pardeep Kumar and petitioner No.3-Bittu @ Balvir Chand and nor they have drawn any benefit out of this marriage and has been falsely implicated on account of their relationship, whereas, the petitioner No.1-mother-in-law is an old lady and that nothing is to be recovered from her. The application is opposed on behalf of the State on the grounds that investigations are still underway and that principal accused is absconding and, therefore, the petitioners are not entitled for bail.

Appreciating the submissions, admittedly, the petitioner No.3-Bittu @ Balvir is a distant relative, neither a beneficiary and petitioner No.2- Pardeep Kumar has been roped in being brother of the principal accused, husband of the complainant and there is usual tendency to rope in all the relations and their joining investigations suffices the purpose. However, allegations against the mother-in-law petitioner No.1 Devinder Kaur of having been handed over the gold ornaments and other valuables necessitates her custodial interrogation.

Keeping in view the same the prayer for grant of anticipatory bail qua petitioner No.1 Devinder Kaur mother-in-law stands declined, whereas, petitioner No.2 Pardeep Kumar and petitioner No.3 Bittu @ Balvir Chand are allowed anticipatory bail. In the event of arrest of the petitioner No.2 Pardeep Kumar and petitioner No.3 Bittu @ Balvir Chand they be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

August 18, 2015
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