

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-21027 of 2015
Date of Decision: 03.9.2015.

Darshana Kapoor

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sunil Chadha, Senior Advocate with
Ms. Aarti, Advocate
for the petitioner.

Mr. R.P.S.Sidhu, AAG, Punjab.

SABINA, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No. 278 dated 26.10.2014 under Section 304-B of the Indian Penal Code, 1860, registered at Police Station City Jagraon, District Ludhiana Rural (Anneuxre P-1).

Prosecution story, in brief, is that Amardeep Kaur, daughter of the complainant, was married to Umesh Kapoor about 2½ years prior to the registration of the FIR. The case of the complainant was that he had given sufficient *istri dhan* to his daughter at the time of her marriage. However, petitioner and her co-accused started harassing his daughter Amardeep Kaur on account of insufficiency of dowry and were raising the demand of a car. Amardeep Kaur had been informing the complainant on phone time and again qua the harassment meted out to her. On 19.10.2014, complainant and his wife went to the matrimonial

home of their daughter and informed the in-laws family of their daughter that they were not in a position to give a car but they gave ₹ 1,00,000/- in cash to their son-in-law who handed over the same to the petitioner and his brother. On 26.10.2014, at about 10.23 A.M., complainant received a phone call from his daughter and she had called him to her house. Thereafter, at about 10.43 A.M., the daughter of the complainant again called him on phone and told him that there was no need for him to reach her matrimonial home. Despite the said fact, complainant along with his other family members left for Jagraon. However, on the way complainant got the information that his daughter had been killed.

Learned senior counsel for the petitioner has submitted that initially after investigation, challan was presented against the husband and father-in-law of the deceased. At a later stage, supplementary challan had been ordered to be presented against the petitioner and her other son and daughter-in-law. Petitioner was innocent and has been falsely involved in this case. Learned senior counsel has further submitted that Amardeep Kaur was undergoing medical treatment as she had been unable to conceive a child.

Learned State counsel, on the other hand, has opposed the petition and has submitted that in fact, challan was not initially presented against the petitioner as an inquiry was being conducted on an application moved by her qua her innocence. The inquiry was conducted on the said application and now it has been ordered that the supplementary challan be presented against the petitioner.

In the present case, allegations levelled against the petitioner are serious in nature. Petitioner is the mother-in-law of the deceased. As per the FIR, petitioner and her co-accused

had been harassing the deceased on account of insufficiency of dowry. Complainant has further alleged that on 19.10.2014, he had handed over ₹ 1,00,000/- in cash, to his son-in-law as he was unable to give a car and the said amount was handed over by his son-in-law to the petitioner and her other son.

Hence, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

**(SABINA)
JUDGE**

September 03, 2015
Gurpreet