

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.30123 of 2015

Date of Decision:-20.10.2015

Jaswinder Kaur.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Virinder Singh Rana, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
along with ASI Mohinder Pal.

Mr. P.S. Ahluwalia, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Jaswinder Kaur (***Jethani***) in case FIR No.79 dated 17.07.2015 for offences punishable under Sections 304-B and 34 of the Indian Penal Code registered with Police Station Sadar Rupnagar.

As per allegations, husband Harjit Singh, his brother Sukhwinder Singh and his Bhabi Jaswinder Kaur i.e. the present petitioner along with mother-in-law Mohinder Kaur had caused severe harassment on account of insufficient dowry to the deceased Satwant Kaur. The said Satwant Kaur died within two years of her marriage in her matrimonial home leaving behind child of one years age approximately.

It is contended that the petitioner i.e. *Jethani* along with her husband and minor son is residing separately as per the ration card (P-2) and, therefore, it is urged that the petitioner has been falsely roped in.

Learned Counsel further submits that petitioner has since joined the investigation and nothing more is to be recovered.

Learned Counsel for the complainant points out that the plea of the petitioner that she is residing separately is falsified from the electoral record which shows that they were residing in the same house. He further submits that no allegations have been made against the other *Jeth* and *Jethani* and the father-in-law residing in the same house and, therefore, it cannot be convessed that the entire family has been falsely roped in.

Without commenting on the relative merits of the case, keeping in view the fact that the petitioner herself is married into the family, this Court persuaded to accept the present petition, therefore, the interim protection/bail granted vide order dated 07th of September, 2015 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

October 20, 2015
Vinay