

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-40335 of 2014
Date of Decision: - 13.01.2015

Gurbax Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr. P.S. Ahluwalia, Advocate,
for the petitioner.

Mr. J.S. Sekhon, Assistant Advocate General, Punjab
for the State.

Mr. Gourave Bhayyia Gilhotra, Advocate
for the complainant.

MEHINDER SINGH SULLAR, J.(oral)

Petitioner-Gurbax Kaur wife of Ravinder Singh (mother-in-law), has preferred the instant petition for the grant of regular bail, in a case registered against her along with her main accused, husband Ravinder Singh (father-in-law) and son Jagjit Singh (husband) of victim Umanpreet Kaur, vide FIR No.98 dated 16.05.2014 (Annexure P-1), on accusation of having committed the offences punishable under Sections 307, 498-A and 325 read with Section 120-B IPC, by the police of Police Station City Rupnagar.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable help and after deep consideration of the entire matter, to my mind, the present petition for regular bail deserves to be accepted in this context.

4. Precisely, the prosecution, *inter-alia*, claimed that the marriage of Umanpreet Kaur daughter of complainant Jasvir Kaur was solemnized with Jagjit Singh (son of the petitioner) on 30.01.2010, according to Sikh rites & ceremonies. After solemnization of the marriage, they resided together as husband & wife and cohabited as such, but as luck would have been, no child was born out of their wedlock. The accused were stated to have started taunting and humiliating her in this regard. However, initially neither she disclosed these facts to her parents nor made any complaint against the accused in this relevant connection. Subsequently, she told about the behaviour of the accused to the complainant. On 14.05.2014, the complainant telephoned her daughter (victim) but she did not pick up the phone. Then, she telephoned accused Jagjit Singh (her son-in-law), who did not speak properly with her. She (complainant) repeatedly telephoned her daughter, where she has stated that, she (daughter) apprehends danger to her life at the hands of her husband and his parents.

5. Sequelly, the case of the prosecution further proceeds that on next day at about 7.30 a.m., the complainant received telephonic call from accused Ravinder Singh (father-in-law) that his son Jagjit Singh (husband) and daughter-in-law Umanpreet Kaur (victim), had left from his house to visit her (complainant) house and enquired whether they

have reached there or not. Then, the complainant sent her son Jaskaran Singh to locate them. At 9.15 a.m., she came to know from the newspaper that a car bearing registration No.PB-10-CC-4626 was found from the Sarhind river, in which, the victim was lying in unconscious condition. However, the driver of the car was not found. Thereafter, the complainant found her daughter admitted in Civil Hospital, Ropar, from where she was referred to PGI Chandigarh. On the basis of suspicion, the complainant reported the matter that main accused Jagjit Singh (her son-in-law), with the connivance of his parents, might have thrown the victim in the canal. Likewise, the police has recorded the statement (Annexure P-4) of the victim, wherein she has considerably improved her version and levelled additional allegations of commission of offences under Sections 307 and 498-A IPC against main accused and her husband Jagjit Singh & father-in-law Ravinder Singh.

6. Meaning thereby, very vague and general allegations of commission of indicated offences are assigned to the present petitioner. All the main allegations of beating and cruelty in connection with and on account of demand of dowry are assigned to other main co-accused (non-petitioners).

7. Moreover, the petitioner, who is a lady, was arrested on 30.10.2014. Since then, she is in judicial custody and no useful purpose would be served to further detain her in jail. There is no history of her previous involvement in any other criminal case. Even, since the charges have not yet been framed against the accused, so, the final conclusion of trial will naturally take a long time.

8. In the light of aforesaid reasons, taking into consideration the totality of the peculiar facts and the special circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for regular bail is hereby accepted. The petitioner is ordered to be released on bail on her furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits in the trial of the main case, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail only.

January 13, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE