

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

256

CRM-M-5221 of 2015 (O&M)
Decided on : 26.02.2015*Tejinder Kaur**... Petitioner**Versus**State of Punjab and others**... Respondents*

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present : Mr.D.K.Bhatti, Advocate
for the petitioner.
Mr.Ashish Sanghi,DAG, Punjab.
Mr.Ajay Pal Singh, Advocate for the complainant.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh J. (Oral)

This petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory to the petitioner. The petitioner, who happens to be daughter-in-law of the complainant, Harjinder Kaur, has been summoned under Section 302 read with Section 34 IPC (376, 511 IPC added lateron), registered at Police Station Division No.8, District Ludhiana.

Learned counsel for the petitioner has argued that initially, the FIR in question was registered by Harjinder Kaur against her daughter-in-law Tejinder Kaur stating that her young daughter Gurinder Deep Kaur was to go to Canada for higher study. Accused Tejinder Kaur had married her son Bhupinderjit Singh. The relations between the complainant and the accused were not good. Accused was annoyed

with deceased for being sent to Canada for higher study. It is stated that on 21.08.2013, Gurinder Deep Kaur was alone at home, when the complainant who was working as teacher, returned from duty at 3.00 p.m, she saw that her daughter, Gurinder Deep Kaur has been brutally murdered.

Learned counsel for the petitioner has argued that after lodging the report, next day the complainant made a supplementary statement that she suspect Rajesh Kumar for the said crime. It is for this reason the petitioner was not challaned. Now when Harjinder Kaur, complainant has been examined in court, she stated both the versions before the court that one qua the present petitioner and the other qua Rajesh Kumar. It has been argued that the petitioner has been falsely implicated as she was not enjoying good relation with the Harjinder Kaur. The complainant had made contradictory statement. On the basis of said statement, Dinesh Kumar was not summoned.

On the other hand, learned State counsel as well as learned counsel for the complainant have vehemently argued that the allegations against the petitioner are serious in nature. She is stated to have connived in the murder of young daughter of the complainant. If the petitioner is granted anticipatory bail, she is likely to tamper the evidence.

After going through the facts and circumstances of the case, I am of the considered view that even if the relations between the complainant-mother-in-law and the petitioner were not good but this could not be the reason for her (complainant) to level the allegations against her daughter-in-law. Gurinder Deep Kaur, daughter of the

complainant, was brutally murdered. At that time, the involvement of the petitioner in the said crime is alleged.

Keeping in view the seriousness of the matter, I am of the opinion that this is not a fit case, where the extraordinary power under Section 438 Cr.P.C. should be exercised to grant anticipatory bail.

Accordingly, the petition stand dismissed.

[Kuldip Singh]
Judge

26.02.2015
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