

Criminal Misc. M- No. 16806 of 2017 (O&M)

Date of decision : July 03, 2017

Surinder Singh and anotherPetitioners

Versus

State of PunjabRespondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. P.S. Ahluwalia, Advocate
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

Mr. Tushant Deep Garg, Advocate
for the complainant.

LISA GILL, J.

The petitioners, who are the parents-in-law of the complainant, pray for the grant of anticipatory bail in FIR No. 19 dated 20.04.2017 registered under Sections 498A and 406 IPC at Police Station Women Cell, Bathinda.

It is submitted that both the petitioners are living separately from the complainant and her husband i.e. the son of the petitioners. It is further contended that they are roped in only because of their relationship with the complainant. The allegations in the FIR against them are absolutely vague, general and incorrect. The complainant in fact tried to forcibly enter into the house of the petitioners on 02.03.2017. In the ensuing scuffle, injuries were received by petitioner No. 2 and Smt. Balwant Kaur i.e. the mother and mother-in-law of petitioner No. 1 and 2 respectively. The complainant also received four simple injuries in this occurrence.

The petitioners' son has been afforded the concession of regular bail.

Furthermore, the petitioners have joined investigation pursuant to interim order dated 11.05.2017. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Jagdev Singh, Police Station Women Cell, Bathinda, affirms that the petitioners were living separately from the complainant and her husband. The petitioners are verified to have joined investigation, however, recovery of certain gold articles, it is submitted, is yet to be effected. The same is seriously opposed by the learned counsel for the petitioners, who submits that as the complainant and her husband were living separately all articles were with them and have been recovered.

Learned counsel for the complainant has also opposed this petition. However, it is not denied that a petition under Section 9 of the Hindu Marriage Act, 1955 has been filed by the petitioners' son and the same is pending.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 11.05.2017 is made absolute.

July 03, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes
Whether reportable : Yes/No