

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM-M-6975-2016

Date of decision: 16.8.2017

Balvir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr.Gourav Verma, Advocate for the petitioner

Mr.AS Gill, Sr.DAG, Punjab assisted by  
Mr.ASI Purshotam Ram

Mr.Mohd.Yousaf, Advocate for the complainant

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**JITENDRA CHAUHAN, J.**

The present petition under Section 438 of the Code of Criminal Procedure is for granting anticipatory bail to the petitioner in case First Information Report No.216 dated 24.12.2015 registered under Sections 498-A, 406, 120-B of the Indian Penal Code at Police Station Chhajali, District Sangrur.

On 26.2.2016, while issuing notice of motion and granting interim anticipatory bail, the following order was passed by this Court:-

“Learned counsel for the petitioner submits that all the allegations have been levelled against the husband of the complainant, who has already been arrested. It has been alleged by the complainant in the FIR that her husband, who is a drug addict, is involved in

some other activities as well and he even used to beat her. It was only the mother-in-law, who persuaded the complainant to come back to matrimonial home. The bail petition filed by the petitioner has been declined only on the ground that some of the recovery has not been effected. The petitioner is ready to join investigation and to return the dowry articles, if any.

Notice of motion for 11.05.2016.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer. She shall join the investigation as and when required by the Investigating Officer. She shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make herself available for interrogation before investigating officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.

Thereafter, vide order dated 5.9.2016, the petitioner was directed to pay Rs.30,000/- (Rs.25,000 as litigation expenses and Rs.5000/- as costs) to the complainant. The said order so far stands complied with. The petitioner, who is the mother-in-law of the

complainant, repeatedly joined the investigation.

On the other hand, learned counsel for the complainant submits that the petitioner is the mother-in-law and there are specific allegations of harassment against her.

Though, learned State counsel admits the factum that the petitioner repeatedly joined the investigation. However, he submits that recovery of gold ornaments has so far not been effected.

The husband of the complainant has already been allowed regular bail by learned trial Court. It is asserted that the dispute is on account of temperamental differences between the husband and wife and the petitioner is not to gain anything. There is no specific evidence of entrustment.

In view of the above, the present petition is allowed. The order dated 26.2.2016, vide which the petitioner was granted interim anticipatory bail is made absolute subject to her furnishing bail/ surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

16.8.2017  
gsv

**(JITENDRA CHAUHAN)**  
**JUDGE**

**Whether speaking / reasoned?**

**Yes / No**

**Whether reportable?**

**Yes / No**