

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

CRM-M No. 20520 of 2018

DATE OF DECISION :- August 14, 2018

Parminder Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CRM-M No. 21542 of 2018

Manpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. S.P.S. Aulakh, Advocate for the petitioner(s).

Ms. Samina Dhir, DAG, Punjab.

Mr. Himanshu Puri, Advocate for respondent no. 2.

My this order shall dispose of two petitions for grant of pre arrest bail bearing CRM-M No. 20520 of 2018 filed by petitioner Parminder Kaur and CRM-M No. 21542 of 2018 filed by petitioner Manpreet Singh, both of them being accused in F.I.R.No. 016 dated 12.1.2018 under Sections 498-A, 406 IPC (313 IPC added later on) registered with Police Station Sultanpur Lodhi, District Kapurthala.

Briefly stated the facts of the prosecution story are that complainant Rajvir Kaur had submitted a complaint addressed to Incharge Women Cell, Sultanpur Lodhi, Kapurthala stating therein that she was married with Manpreet Singh, who was claiming that he was having Visa for Canada and was doing Hotel Management course at Jaipur, Rajasthan.

Before marriage engagement ceremony had taken place at Rail Coach Factory at Kapurthala, whereas marriage was performed on 22.8.2016. At that time her in-laws had demanded Alto Car and a sum of Rs.3,80,000/- which were given to them. Gold jewellery articles and several dowry items were also given. After the marriage, the complainant was maltreated and harassed and was asked to bring Rs.25,000/- U.S. Dollars. When the complainant expressed her inability to get those demands met then her husband and his parents started torturing her. She was kept without food even. She was in family way. Medicines were administered to her resultantly her foetus got aborted. She was turned out of the matrimonial home.

After registration of the F.I.R. on the basis of the said complaint the matter was investigated.

Apprehending their arrest Manpreet Singh and his mother Parminder Kaur had moved petitions for pre arrest bail which were, however, dismissed by Additional Sessions Judge, Kapurthala vide order dated 28.2.2018, as such they have approached this Court by way of filing the present petitions.

I have heard learned counsel for the petitioners and learned State counsel besides going through the record.

Learned counsel for the petitioners has submitted that complainant himself is a Nurse and it is unlikely that she could be forcibly

administered any medicine by her husband or his family members much less to abort the foetus rather the birth of the child in the family would have given them a lot of happiness. The complainant wanted to go to America by marrying Manpreet Singh but she could not achieve that purpose, as such she has lodged an F.I.R. on wrong allegations. The petitioners have joined the investigation as such they be granted bail.

A perusal of the F.I.R. lodged by the complainant goes to show that her main grouse is against her husband Manpreet Singh. Though he has joined the investigation but as stated by the State counsel he has not rendered full cooperation and has not got the recovery effected, in that way his custodial interrogation is required.

As regards petitioner Parminder Kaur she has also joined the investigation. She is stated to be an aged woman. Thus that keeping in view the facts and circumstances of the case, custodial interrogation of Manpreet Singh is required but I find it is not so with regard to Parminder Kaur, who is mother-in-law of the complainant. Therefore, petition for pre arrest bail filed by petitioner Manpreet Singh is dismissed, whereas that filed by Parminder Kaur is accepted. The interim bail granted to her vide order dated 15.5.2018 is made absolute subject to her fulfilling conditions under Section 438(2) Cr.P.C.

(H.S. MADAAN)
JUDGE

August 14, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No