

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-27674 of 2017 (O&M)
Date of Decision: 26.2.2018

Jatinder Kaur Sidhu and anotherPetitioners

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Petitioner No. 2 in person along with
Mr. Anurag Chopra, Advocate.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Complainant in person along with
Mr. Pardeep Sharma, Advocate.

ANITA CHAUDHRY, J

Through the instant petition, the petitioners who are the in-laws, are seeking anticipatory bail in case FIR No. 0003 dated 6.6.2017, registered under Sections 406, 498-A IPC, Police Station NRI, District Sangrur.

The previous order shows that an FDR of Rs. 21.00 lacs which was in the name of the complainant and her husband had been handed back to the complainant. Another FDR of Rs. 10.00 lacs was handed over to the complainant.

Counsel for the petitioners contends that the marriage had taken place on 20.4.2016 and both the petitioners went abroad on 23.6.2016 and while they were away, the daughter-in-law filed a suit for injunction against her forcible dispossession from the house owned by in-laws and she gave a complaint thereafter. Counsel further submits that the girl was living in

mercy of their relatives and sometimes in the Gurudwara and the daughter-in-law is occupying the house and they do not have any articles with them and they are ready to pay any further amount. Counsel states that a sum of Rs. 10.00 lacs was earlier paid.

The bail application is opposed by the complainant as well as the State.

The parties were sent for mediation earlier but mediation had failed. During the course of submissions, the girl was present. She had stated that she wanted to stay with the husband and he should first come back. Admittedly, she has occupied the house owned by father-in-law.

The petitioners have joined the investigation. Custodial interrogation is not necessary. The petitioners had indicated that they wanted to travel abroad. They can leave the country only with the prior permission of the trial Court.

Looking to the circumstances, but without commenting on the merits of the case, the petition is allowed, order dated 09.8.2017 granting interim bail to the petitioners is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure with the rider that the petitioners would pay/deposit Rs. 5.00 lacs in lieu of the gold articles i.e. rings etc. within one month from today before the trial Court to be given to complainant.

(ANITA CHAUDHRY)
JUDGE

February 26, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No