

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49669-2018 (O&M)

Date of decision : 13.12.2018

Sukhvir Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Pushpinder Kaushal, Advocate for complainant.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Learned counsel for complainant has appeared of its own and filed his vakalatnama in Court today. The same is taken on record.

Heard.

Learned State counsel, on instructions, contends that petitioner has joined the investigation. However, it is claimed that petitioner has not surrendered the gold and Rs. 10,000/-.

In this case, petitioner was married on 5.2.2018 with Satinder Singh son of complainant-Swaran Singh. After few days of marriage, Satinder Singh left for Poland and has not returned back so far.

As per the allegations in the FIR, after the departure of Satinder Singh, present petitioner started quarreling with her in-laws. There are also the allegations of visiting of one stranger to the house. After some time, petitioner was taken back to her parental home.

It is alleged that on 1.9.2018, petitioner accompanied by her father namely Leela Singh, brother-Kuldeep Singh and his maternal uncle-Naib Singh & his wife and one relative-Gurbaj Singh of Leela Singh, entered in the house of the complainant and gave beatings to complainant and his wife. They searched the almirah in the bedroom and took away the gold lying in the almirah and Rs. 10,000/- and went away in Innova car.

I have perused the case file.

Petitioner has joined the investigation. During the interrogation, she has disclosed that gold taken by her belongs to her. It was given in gift at the time of marriage by her parents and her in-laws. Therefore, it is claimed that gold belongs to the present petitioner. There are allegations of taking of Rs. 10,000/- also in cash. Parties are near relations. Apparently, after the marriage there are strained relations between the complainant and the petitioner. Petitioner is a woman and she has been duly interrogated. The other accused are yet to be arrested and interrogated.

In such circumstance, I am of the view that it is a case of undue hardship. Petitioner is already a sufferer and she cannot be sent behind the bars. Petitioner is allowed. The interim bail granted to the petitioner vide order dated 13.11.2018 is made absolute subject to the condition that whenever she will be called by the police, she will appear before the police in the presence of a woman police officer and cooperate in the investigation.

Petition stands allowed.

(KULDIP SINGH)
JUDGE

13.12.2018
preeti

Whether speaking / reasoned	Yes
Whether Reportable:	No