

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-3287-2019 (O&M)
Date of Decision:-12.9.2019

Darshan Kaur

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ankit Aggarwal, Advocate for
Mr. Manoj Bakshi, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Ms. Sharmila Sharma, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.12 dated 22.11.2018 at Police Station NRI, Kapurthala, Punjab under Sections 498-A, 406 and 506 of Indian Penal Code.
2. The FIR was registered at the instance of Sandeep Kaur, wherein it has been alleged that her marriage with Gurpreet Singh was solemnized on 2.4.2017 and although her parents had given gifts and other articles of dowry as per their capacity, but her husband and other members of his family were not happy with the same and started harassing her in order to press upon their demand of more dowry. It is alleged that after about two months of the

marriage, she was thrown out of her matrimonial home, while her articles of 'stridhan' were retained by the accused.

3. The learned counsel for the petitioner has submitted that the matter infact arises out of matrimonial incompatibility between the complainant and her husband and that a false FIR has been lodged and a large number of members of the family of complainant's husband have been roped in. It has been submitted that the petitioner is mother-in-law of the complainant and is aged 60 years and that the entire allegations as levelled against the petitioner have been cooked up. It has further been submitted that infact the complainant's husband has been residing in 'Germany' and the petitioner has been involved in order to pressurize her son.
4. Opposing the petition, the learned State counsel assisted by the learned counsel for the complainant has submitted that the petitioner is the prime accused being mother-in-law of the complainant, against whom specific allegations have been raised. It has further been submitted that since several of the articles of dowry are yet to be recovered, no case for grant of bail is made out. It has, however, been informed that pursuant to interim directions issued by this Court an amount of ₹2 lacs had been deposited by the petitioner before the trial Court, which has been received by the complainant. The learned State counsel has further informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances and while bearing in mind that the present case basically arises out of matrimonial discord and also that the petitioner has since joined investigation, the facts are not such, which would warrant custodial interrogation. The petition, as such, is accepted and the

interim directions issued by this Court vide order dated 13.2.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

12.9.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No