

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

CRM-M-9193-2019 (O&M)

Date of Decision:- 2.9.2019

Baljinder Kaur

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kawaljyot Singh, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab,
assisted by ASI Sanjeevan Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No. 223, dated 16.12.2018, registered at Police Station Shahkot, District Jalandhar, under Sections 406 and 498A IPC.
2. The FIR was registered at the instance of Sarabjit Kaur wherein it has been alleged that she was married to Kulvir Singh on 11.3.2013 and that an amount of ₹5 lacs was spent on the marriage. It is alleged that

large number of gifts and gold ornaments were given at the time of marriage to Kulvir Singh and other members of his family including the petitioner who is mother-in-law of the complainant. It is further alleged that the accused were however, not happy with the dowry and used to harass the petitioner in order to press upon their demands of dowry and also used to give beatings and ultimately threw out the complainant from her matrimonial home while retaining her *istridhan*.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that the entire allegations pertaining to demand of dowry and misappropriation of dowry are false and frivolous and is a cooked up story.
4. Opposing the petitioner, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. It has however, been informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and while bearing in mind that the matter has apparently arisen out of matrimonial discord and also that the petitioner is a lady aged 57 years and has already joined investigation, in my opinion it is not a case warranting custodial interrogation. The petition, as such, is accepted and interim directions issued vide order dated 12.3.2019 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and

cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. The present petition stands accepted accordingly.

September 2, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No