

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

**CRM-M-19639-2018
Date of Decision: 09.09.2019**

Gurbaksh Kaur alias Harbaksh Kaur Petitioner

versus

State of Punjab and another Respondents

CORAM : HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Jasraj Singh, Advocate
 for Mr.JBS Gill, Advocate for the petitioner.

 Mr.Sukhbeer Singh, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.54 dated 02.05.1996, under Section 498-A IPC, registered at Police Station Haryana, District Hoshiarpur.

Counsel for the petitioner states that the petitioner is a real maternal aunt of the husband of the complainant and the allegation of demand of dowry against her are totally motivated as she is not going to be benefited from such dowry. Counsel further states that for the similar set of allegations the brother of the petitioner has faced trial and has been released on probation. Irrespective of nature of the allegations so levelled against the petitioner, she is ready to surrender before the trial Court and to face trial, provided she is protected in the case.

Heard.

Since the petitioner has shown her inclination to appear before the trial Court and to face the trial, the prayer of the petitioner for quashing

of FIR is hereby declined at this stage. Though earlier also the petitioner was declared a proclaimed offender, but thereafter she has surrendered before the trial Court but now again she has been declared proclaimed offender. The petitioner being maternal aunt(*Massi*) of husband of the complainant do not exactly fall within the definition of 'aunt'.

Considering the fact that the petitioner has shown her inclination to appear before the trial Court and to face trial in accordance with law, the present petition is disposed of with a direction that in case the petitioner surrenders before the trial Court within two months from today and gives an undertaking to face trial, she would be admitted on bail subject to her furnishing bail bonds and surety bonds to its satisfaction, however, subject to payment of costs of Rs. 25,000/- with the Poor Patients Welfare Fund, PGI, Chandigarh.

Vide order dated 19.11.2018 the petitioner was directed to deposit costs of Rs.2,000/-for not providing the requisite information as was sought by this Court on 10.09.2018, with the High Court Legal Services Authority, however, costs were not deposited. Now instead of Rs. 2,000/- the petitioner shall deposit costs of Rs. 4,000/- with the High Court Legal Services Authority and shall produce the receipt before the trial Court while furnishing bail bonds.

Petition disposed of.

09.09.2019

Sunita

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No