

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M-16293-2019

Date of Decision:22.05.2019

Kulwinder Kaur @ Ruby

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Amandeep Singh Manaise, Advocate,
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. G.S. Simble, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.73 dated 19.06.2018 under Sections 304-B, 316, 34 IPC, registered at Police Station Sadar Gurdaspur, District Gurdaspur, who was summoned under Section 319 Cr.P.C.

Memorandum of appearance filed on behalf of the complainant today in the Court, is taken on record.

The FIR was registered at the behest of Gurwant Singh, brother of deceased-Mandeep Kaur, who died on 19.06.2018 and her marriage was solemnized with Simran Singh son of Iqbal Singh on 20.10.2017. The allegation in the FIR is of harassment of the deceased for bringing less

dowry and she was given beating by her in-laws on 17.06.2018. There was threat to kill her and this fact was disclosed by the deceased to her family members before her death.

Learned counsel for the petitioner states that in the aforesaid FIR, police has conducted the investigation and had found the petitioner innocent. However, it is only on the basis of application filed by the prosecution under Section 319 Cr.P.C., petitioner was summoned to face trial in the case. The petitioner is married sister-in-law of deceased-Mandeep Kaur. Petitioner got married with Mandeep Singh on 12.01.2012 and living with her family in her matrimonial home. Petitioner was not to be benefited from dowry as alleged. However, he submits that irrespective of the fact that the FIR has been registered against the petitioner, she is still ready to appear before the trial court to face the trial in accordance with law.

Learned counsel for the complainant has argued that the allegations against the petitioner and other co-accused are serious in nature as the deceased got married with Simran Singh son of Iqbal Singh on 20.10.2017 and she died on 19.06.2018 hardly within eight months of her marriage.

I have heard learned counsel for the parties.

The petitioner was found innocent during the investigation. The petitioner was already married with Mandeep Singh on 12.01.2012. Demand of dowry by married sister-in-law needs to be established during trial. Accordingly, the present petition is disposed of with a direction that in case the petitioner appears/surrenders before the trial court within a period of ten days from today, she shall be admitted on bail, subject to furnishing

of her bail bonds/surety bonds to its satisfaction. The petitioner shall submit an affidavit that she will keep on attending the court regularly unless exemption is granted to her.

May 22, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No