

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

CRM-M-31973-2019 (O&M)
Date of Decision:- 16.10.2019

Kamaljit Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Liaqat Ali, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab
assisted by SI Kuldip Singh.

GURVINDER SINGH GILL, J.

1. The petitioner Kamaljit Kaur has approached this Court seeking grant of anticipatory bail in a case registered against her vide FIR No.88 dated 30.6.2019 under Sections 420/177/494/120-B IPC at Police Station Mahilpur, District Hoshiarpur.
2. The FIR was registered at the instance of Harwinder Pal, GPA of Sohan Singh, wherein it has been alleged that Sohan Singh, aged about 69 years, is permanent resident of England and was a divorcee and when he visited India in the year 2012, his friends advised him to get married. Satnam Singh suggested a matrimonial alliance with a lady namely Kamaljit Kaur and upon which Sohan Singh went to Garhshankar where he met Kamaljit Kaur, Mokha, Pinky, Sarban Singh and Geeta and who all represented that

Kamaljit Kaur was unmarried. Thereafter, some more meetings took place and marriage was solemnized and registered in June, 2012 and wherein also Kamaljit Kaur furnished an affidavit that she was unmarried. It is alleged that all the accused excepting Manpreet were present at that time and Mokha and Numberdar of the village namely Pandori Ganga Singh had affixed their signatures as witnesses. Shortly after marriage, Sohan Singh started residing in Gorayia. One boy started visiting the house of Sohan Singh and when Sohan Singh asked Kamaljit Kaur who the said boy was, she replied that he is son of her sister. Later, when there was a quarrel between Sohan Singh and the said boy, the said boy disclosed that Kamaljit Kaur was his mother. When Sohan Singh confronted Kamaljit Kaur and asked her as to why she had told a lie about her marital status, then she threatened to eliminate Sohan Singh due to which Sohan Singh went back to England.

3. The learned counsel for the petitioner has submitted that the present FIR has been lodged by concocting false allegations and has infact been lodged as a counterblast to the application filed by the petitioner under provisions of Protection of Women from Domestic Violence Act, 2005.
4. Opposing the petition, the learned State counsel has submitted that in view of the fact that specific allegations have been levelled against the petitioner, no case for grant of anticipatory bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Bearing in mind the nature of offence and also that the petitioner has already joined investigation, the facts certainly do not warrant any custodial interrogation. The petition, as such, is accepted and the interim directions

issued by this Court vide order dated 26.7.2019 are hereby made absolute subject to the condition that the petitioner shall continue to appear before the Investigating Officer as and when called upon to do so and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

16.10.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No