

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

CRM-M-2478-2021

Date of Decision: 29.01.2021

Kaushalya Devi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ashok Kumar Khunger, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Ram Sarup.

(proceedings conducted through video conferencing)

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.0180 dated 20.12.2020 at Police Station Khuian Sarwar, District Fazilka, under Sections 420, 506, 34 IPC.
2. The FIR was lodged at the instance of Veeru Ram, wherein it is alleged that since he was unmarried, therefore, his sisters talked to one Kaushalya (petitioner) in respect of his marriage, as she had earlier mediated in some marriages. It is alleged that Kaushalya through her brother Bajrangi talked regarding complainant's marriage and represented that she would look for a suitable girl, but in return her brother Bajrangi would charge Rs.1 lakh. The complainant agreed for the same and a girl was shown to the complainant, which was approved by him. Bajrangi and paternal aunt (*Bua* of girl), namely, Rajbir Kaur took an amount of Rs.1

lakh from the complainant and the marriage was solemnized on 11.11.2020. However, the girl namely Aman did not establish any physical relation with the complainant and subsequently left the matrimonial home. Later, when the complainant alongwith his sister went to his wife's parental home and met Aman and Rajbir Kaur, they hurled abuses and extended threats to them and threatened that they would lodge an FIR against the complainant. It is, thus, alleged in the complaint that the aforesaid accused had cheated the complainant of an amount of Rs.1 lakh.

3. Learned counsel for the petitioner has submitted that she has falsely been nominated as an accused in the FIR merely in order to pressurize her brother Bajrangi, who is alleged to have taken an amount of Rs.1 lakh and that even as per FIR, not a single penny was ever received by the petitioner.
4. Opposing the petition, learned State counsel has submitted that during the course of investigation, it had surfaced that the amount of Rs.1 lakh was kept in the house of the petitioner and she being the sister of Bajrangi, her complicity in the matter is clearly evident.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of allegations, wherein the main role is attributed to Bajrangi and to Rajbir Kaur, who had taken the amount for solemnising the marriage of the complainant with Aman, the role of the petitioner cannot be said to be on the same footing, as she is not stated to have accepted any amount. Keeping in view the alleged role of the petitioner and the fact that she is a

lady, the petition is accepted and the petitioner, in the event of arrest, is ordered to be released on anticipatory bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

29.01.2021

Vimal

(GURVINDER SINGH GILL)
JUDGEWhether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**