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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.28299 of 2021 (O&M)

Date of decision: 22.07.2021

Jaswinder Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Kuljit Kaur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Ms. Sushma Chopra, Advocate for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this 2nd petition is for grant of anticipatory bail to the petitioner in FIR No.44 dated 15.04.2020 registered under Sections 304, 120-B, 34 IPC at Police Station Lambran, District Jalandhar.

The earlier one was dismissed by passing a detailed order on 25.01.2021. The operative part of the said order, reads as under:-

“Counsel for the petitioner submits that as per the allegations in the FIR, registered at the instance of Jaswant Kaur, it is stated that she is married to accused Taranjit Singh and two children were borne out of the said wedlock. It is stated that the complainant is living in a joint family, along with her parents-in-law, Jaswinder Kaur, sister-in-law (Jethani) and other family members. Petitioner-Jaswinder Kaur is having illicit relations with her husband, namely, Taranjit Singh and, later on, he also developed illicit relations with another lady Paramjit Kaur @ Pammo. When this was resisted by the complainant, the petitioner told her that she is not going to leave her

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husband and in that protest, some Panchayats were also held. With regard to an incident of 14.4.2020, again on 15.4.2020, father of the complainant namely Nirmal Singh (deceased), mother, brother and uncle came to her matrimonial home to convene a Panchayat. When the member of Panchayat tried to convince Taranjit Singh not to have illicit relations with other ladies, Taranjit Singh had shown his adamancy to live with petitioner Jaswinder Kaur and with some other ladies. In the meantime Raghubir Singh came and caught hold of Nirmal Singh and Taranjit Singh started giving fists blows on his chest and forehead, due to which, Nirmal Singh fell down and, later on, died.

Counsel for the petitioner submits that the FIR has been registered against four persons, i.e. Taranjit Singh, husband of complainant, Raghubir Singh @ Nikku, Paramjit Kaur @ Pammo and petitioner Jaswinder Kaur. Counsel for the petitioner further submits that the allegations of causing injury are attributed to Raghubir Singh and Taranjit Singh and there is no role of the petitioner and she has been nominated under Section 120-B IPC with the allegations that she is having illicit relations with Taranjit Singh.

Counsel for the petitioner further submits that Taranjit Singh @ Tanna and Raghubir Singh have already been arrested. Counsel for the petitioner next submits that the petitioner is a married woman and has her own family to look-after.

Learned State counsel has, however, opposed the prayer on the ground that it is the petitioner who is the bone of contention on account of the illicit relations with the husband of the complainant and a Panchayat was convened for this purpose to make Taranjit Singh understand not to maintain illicit relations with the

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petitioner and on that protest, he along with Taranjit Singh and Raghubir caused injuries to Nirmal Singh, who, later on, died.

After hearing the counsel for the parties and going through the serious allegations, I find no ground to grant anticipatory bail to the petitioner.

Dismissed.”

Counsel for the petitioner seeks permission to re-argue the entire case on the grounds, which were earlier available to the petitioner.

Counsel for the State has submitted that there are serious allegations against the petitioner. It is further submitted that the anticipatory bail of the co-accused namely Raghubir Singh @ Nikka, has already been dismissed on merits vide order dated 18.03.2021 passed in CRM-M No.37238 of 2020.

Counsel for the State assisted by counsel for the complainant has further submitted that now the proceedings to declare the petitioner as proclaimed offender is pending.

After hearing the counsel for the parties, considering the serious allegations against the petitioner, finding no new ground, this petition is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

22.07.2021
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No