

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.201

CRM-M-10638-2021

Date of decision: 08.03.2022

Kulwinder Kaur

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.GBS Dhillon, Advocate, for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Dr. Naresh Kaushik, Advocate, for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.16 dated 15.01.2021 registered under Sections 406, 420 IPC at Police Station phillaur, District Jalandhar Mohali

On August 25, 2021, this Court had passed the following order:-

“The matter has been taken up through video conferencing.

Mediation has failed.

Learned counsel for the petitioner inter alia contends that the petitioner, who is 55 year old lady with no criminal antecedents, has been falsely implicated at the behest of the complainant on account of marital discord between the complainant's son and the petitioner's daughter; at the time of marriage there was no understanding between the parties that the petitioner's daughter and the complainant son were married only to get the complainant's son immigrated to Canada; no amount from the complainant has been received by the petitioner at the time of her daughter's wedding; four months prior to the lodging of the FIR in question the relation between the petitioner's daughter and the complainant's

son had turned sour as a result whereof in September, 2020 the petitioner's daughter had lodged a FIR against the complainant side under Sections 406/498A IPC; before their relationship went sour the petitioner's daughter after going to Canada had sponsored the complainant's son and in this regard the attentions of this Court is drawn to the sponsored certificate (Annexure P-6) and that the petitioner is also ready and willing to join the investigation as and when called by the investigating agency.

Notice of motion.

Mr. Jagmohan S. Ghumman, DAG, Punjab accepts notice on behalf of the respondent-State and Dr. Naresh Kaushik, Advocate puts in appearance on behalf of the complainant.

For arguments, adjourned to 18.11.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of her arrest in FIR No. 16 dated 15.01.2021 registered under Sections 406/420 IPC at Police Station Phillaur, district Jalandhar, she shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that her custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 25.08.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

March 08, 2022

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(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No