

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

204

CRM-M-25411-2021 (O&M)

Date of decision: 09.03.2022

SARABJIT KAUR

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Yogesh Goel, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Parambir Singh (Sunny), Advocate
for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case FIR No.0069 dated 16.06.2021, registered under Sections 406, 420, 120-B IPC, at Police Station Sadar Jagraon, District Ludhiana (Rural).

Vide order dated 06.07.2021 passed by a Coordinate Bench, the petitioner had been granted ad interim pre-arrest bail and directed to join the investigation.

Learned counsel for the petitioner submits that pursuant to the aforesaid order, the petitioner has joined the investigation. He further submits that the petitioner is the mother-in-law of respondent No.2 and that the husband of the petitioner expired on 23.09.2014; that on 03.06.2018, Gurleen Kaur (daughter of the petitioner), solemnized an arranged marriage with respondent No.2 and that, for the said purpose, the petitioner had spent around Rs.15,00,000/-. Still further, it is submitted that the petitioner never allured or made any false compromise

for the marriage and that, on 09.07.2019, the daughter of the petitioner went to Canada for further studies.

Learned counsel for the petitioner further submits that Gurleen Kaur had applied for a spouse visa for respondent No.2, but the same was rejected by the Canadian Embassy on 14.11.2019.

On the other hand, learned counsel for the complainant submits that the complainant and his family members have spent around Rs.40 to Rs.45 lakhs in the marriage and facilitated Gurleen Kaur to clear ILETS and pursue her studies abroad. He further submits that Gurleen Kaur never informed respondent No.2 regarding the pendency of visa file before the Canadian Embassy and deliberately filed the same incomplete and thus, the same was rejected by the Canadian Authorities. Still further, it is submitted that Gurleen Kaur is now having illicit relations with one Sukhjinder Singh.

At this stage, learned State counsel, on instructions from ASI Anwar Masih, submits that the petitioner has joined the investigation and is now not required for any further investigation.

I have heard the learned counsel for the parties.

On 26.08.2021, learned State counsel had submitted that the petitioner had joined the investigation and her custodial interrogation was not required. Same was the stand of learned state counsel on 24.11.2021. However, on the asking of both the learned counsel for the petitioner and the complainant, the parties were directed to appear the Mediation and Conciliation Centre of this Court for an amicable settlement, if any. However, the mediation remained unsuccessful.

Be that as it may, without commenting on the merits of the case, the present petition is allowed and the order dated 06.07.2021 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

09.03.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No