

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM-M-26521-2022-

Date of decision:- 18.10.2022

Narinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sarju Puri, Advocate for the petitioner.

Mr. P.S.Grewal, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

On 15.06.2022, this Court passed the following order:-

“Counsel inter alia refers to the inquiry done by the Senior Superintendent of Police (Headquarters), SBS Nagar, which starts from page No.14 till page No.29 to submit that the complainant Arshdeep Kaur, who had levelled serious allegations against the petitioner, who is the mother-in-law would show that the complainant was married with Gurpreet Singh on 28.10.2013 and blessed with Prabhjot Kaur, who is stated to be staying with the petitioner. It had been found the complainant was earlier married with one Gurmukh Singh and thereafter eloped with Roshan Singh. Thereafter, she had come in contact with the son of the petitioner and performed marriage with him.

The husband is stated to be living Saudi Arabia and the complainant is now involved with one Sulakhan Singh. The said facts were also confirmed from the mother of the complainant during the course of investigation. It is, thus, pointed out that the observations that Section 498-A was made out would be a subject matter of debate, keeping in view the fact nothing was brought on record to show that the complainant was divorced with Gurmukh Singh, the first husband. It is further pointed out that only during the

period of Covid-19 pandemic the complainant had come to the house of the petitioner and stayed with her and allegations have been made thereafter.

Notice of motion for 18.10.2022.

Mr. A.A. Pathak, Addl. AG, Punjab accepts notice on behalf of the respondent-State.

Keeping in view of the fact that the petitioner is a lady of 55 years around and also looking after a minor child, whose father is abroad, the benefit of anticipatory bail is liable to be granted to her. Accordingly, it is directed that the petitioner shall join investigation and in the event of arrest, she shall be released on ad interim bail by the Investigating Officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down under Section 438 (2) Cr.P.C.”

Upon instructions received from ASI, Rampal, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, but without commenting upon the allegations levelled in the FIR, present petition is allowed.

Order dated 15.06.2022 granting interim bail to the petitioner, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

18.10.2022
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No