

212/1 THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46480-2021
Date of Decision: 18.01.2022

SURJIT KAUR ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

(The case has been taken up through video conferencing on account of Covid-19 pandemic)

* * *

VIVEK PURI, J. (ORAL)

On 03.11.2021, following order was passed:

“Surjit Kaur-petitioner is seeking anticipatory bail under Section 438 Cr.P.C in the case bearing FIR No. 78 dated 23-10-2021 under Sections 498-A/34 IPC, registered at Police Station Purana Shalla, District Gurdaspur.

It has been contended by the learned counsel for the petitioner that the marriage of the son of the petitioner, namely, Ranjit Singh was solemnized with Manpreet Kaur, complainant on 17.02.2019. The matrimonial dispute has cropped up between them. False allegations with regard to the demand of dowry and misappropriation of dowry articles have been raised in the complaint. It has been alleged that the petitioner had taunted the complainant and maltreated on account of birth of female child. It has been argued that the petitioner and her son are owner of the agricultural land to the extent of 1 acre each. The complainant as guardian to the minor daughter has filed a civil suit staking the claim over the said property prior to lodging the FIR. The present FIR has been lodged to pressurize the petitioner to part with the agricultural land owned by her. She is the mother-in-law of the complainant aged about 53 years and a widow lady.

Notice of motion.

Ms. Ruchika Sabharwal, AAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 17.01.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that she join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C. ”

The learned counsel for the petitioner states that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Narinder Pal Singh, has not disputed the factual aspect of the case and has stated that the petitioner has joined the investigation and her custodial interrogation is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 03.11.2021 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

18.01.2022
Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No