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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2607-2022 (O&M)

Date of Decision:- 14.03.2023

JAGJIT SINGH SIDHU AND ANR.

...Petitioners

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Manuj Nagrath, Advocate
for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. Gagandeep Singh, Advocate
for Mr. Ishan Gupta, Advocate
for the complainant.

AMARJOT BHATTI, J. (Oral)

CRM-14359-2022

This is an application filed by the complainant u/s 482 Cr.P.C.
for placing on record photographs Annexure R-1 and Temporary
Protection Order Annexure R-2.

For the reasons enumerated in the application, the same is
allowed. Accompanied documents Annexure R-1 and Annexure R-2 are
taken on record.

CRM stands disposed of.

CRM-M-2607-2022

The petitioners – Jagjit Singh Sidhu and Surinder Pal Kaur
Sidhu have filed this petition under Section 438 Cr.P.C. for grant of
concession of anticipatory bail in FIR No. 009 dated 25.11.2021 under
Section 406 and 498-A of IPC, registered at Police Station NRI, District

Sangrur.

The facts of the case are that Harchetan Singh – complainant filed written complaint against Ajitpal Singh and others alleging that his daughter Navjot Kaur got married with Ajitpal Singh. Jagjit Singh and Surinder Pal Kaur are the in-laws of Navjot Kaur. At the time of marriage, he had given dowry in the shape of gold ornaments and shagun. Huge amount was spent on marriage function. Jashandeep Singh and Jaswinder Singh had gone to the house of accused at Bathinda to give invitation and gave cash of Rs. 15 lacs to Jagjit Singh in the presence of Chamandeep Singh and Jaswinder Singh. The marriage ceremony took place on 04.03.2018. Ajitpal Singh had gone to New Zealand after 25 days of marriage and thereafter, he never returned to India. She was not treated well by her husband and in-laws at Bathinda as well as in New Zealand. All her clothes, jewellery, dowry articles remained with the accused at Bathinda. His daughter has not come to India. However, Jagjit Singh and Surinder Pal Kaur came to India in March, 2021 and in their meeting, they demanded Rs. 10 lacs from the complainant for purchasing a new house in New Zealand. The accused persons have turned out to be greedy persons who ill treated Navjot Kaur and harassed her physically and mentally. With these allegations, the present FIR has been registered.

Learned counsel for the petitioners argued that Jagjit Singh and Surinder Pal Kaur are the father-in-law and mother-in-law of the daughter of the complainant. Soon after marriage, their daughter-in-law went to New Zealand and started residing with her husband. In fact, they had spent money on their daughter-in-law while she was doing IELTS course. Her Visa and tickets were also arranged by them. The behaviour of daughter of the complainant changed altogether after reaching New Zealand. In fact,

she treated her husband with cruelty. They are not in possession of any dowry articles. They are ready to join the investigation. It is prayed that the *ad interim* bail already granted in their favour may be confirmed.

The bail application is opposed by learned counsel representing the complainant as well as learned counsel representing the State. The detailed status report is also filed alleging that no recovery has been effected till date. The whereabouts of co-accused Ajitpal Singh are to be ascertained from the present petitioners, therefore, their custodial interrogation is required.

On the other hand, learned counsel representing the complainant pointed out that the police has not taken any action against co-accused Ajitpal Singh, who is still residing in New Zealand. No proper investigation is being carried out. The present petitioners are not entitled to be released on anticipatory bail.

I have considered the arguments and have gone through the record carefully. The contents of FIR clearly indicates that Navjot Kaur – daughter of the complainant got married with Ajitpal Singh, who is settled in New Zealand. The present petitioners are the parents of Ajitpal Singh, who are also residing in New Zealand. Admittedly, soon after marriage, Ajitpal Singh went to New Zealand and thereafter, Navjot Kaur along with her in-laws also went to New Zealand. Till date, Ajitpal Singh and Navjot Kaur are residing in New Zealand, whereas, the present petitioners have come to India. The facts further indicate that the matrimonial dispute started in New Zealand. Learned counsel for the complainant has placed on record certain photographs of Navjot Kaur, which are Annexure R-1. He has also placed on record Temporary Protection Order as Annexure R-2. The incident which took place in New Zealand will be dealt as per their

law. So far as the present FIR is concerned, the present petitioners have already joined the investigation. Soon after marriage, Navjot Kaur went to New Zealand and obviously took away her articles along with her. The present petitioners are the father-in-law and mother-in-law of the daughter of the complainant, who have already joined the investigation. No purpose would be served by keeping them behind the bars, especially, when they are ready to cooperate in the investigation. Considering these facts, the *ad interim* bail already granted in favour of the petitioners – Jagjit Singh Sidhu and Surinder Pal Kaur Sidhu vide order dated 24.05.2022 stands confirmed, subject to the conditions as enshrined under Section 438(2) Cr.P.C.

The petition is, accordingly, accepted.

14.03.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No