

224

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15849-2023

Date of Decision:- 27.04.2023

Balwinder Kaur alias Bindu

...Petitioner

Verus

State of Punjab

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vikas Bali, Advocate for the petitioner.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

Mr. G.B.S. Dhillon, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

The petitioner – Balwinder Kaur alias Bindu has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 19 dated 13.02.2023, under Section 304-B, 34 of IPC, registered at Police Station Meharban, District Ludhiana.

The facts of the case are that the complainant – Amar Singh gave his statement to the police that his daughter Vikramjit Kaur @ Vicky got married with Krishandheer @ Lal in March 2021 according to Sikh rites. Out of this wedlock, his daughter had a son, aged about 4 months. After 25 days from the birth of child, Krishandheer @ Lal came to their house to take away his daughter. His sister Bindu and brother-in-law Happy also accompanied him. The daughter was sent alongwith them. Whenever his daughter visited their house, her husband Krishandheer @ Lal ill-treated her. He also took away her mobile phone. Ultimately, on 09.02.2023, his

son-in-law came outside the house and started shouting and quarreling. On the next day, *kudmani*/mother-in-law Satya Devi, sister-in-law Bindu, maternal aunt (Mami) Kaushalya and his son came and took his sister in the matrimonial home by giving assurance. On 13.02.2023, his brother-in-law Lachman Singh received a call that his daughter suffered heart attack at 12 o' clock. When they reached the matrimonial house of his daughter, the body of his daughter was lying on the bed and there were signs of hanging around her neck. The family members were present in the house but when they had gone to give information to the police, the said persons fled away from the spot.

Learned counsel for the petitioner argued that she is married sister of Krishandheer @ Lal. She is residing in a different village at a distance of about 15 kms. She never interfered in the married life of her brother. The main accused i.e. Krishandheer @ Lal is already arrested by the police on 22.02.2023, whereas the other accused namely Ishmeet Singh was found to be innocent. She is ready to join the investigation and abide by the terms of bail order. It is prayed that her anticipatory bail application may be allowed.

The learned counsel representing the State pointed out that the present petitioner is specifically named. She alongwith her family members took away the victim to the matrimonial home by giving assurance and the occurrence took place within three days. The victim died unnatural death. She has left behind a small child. The allegations are serious in nature. Therefore, she is not entitled to be released on anticipatory bail.

I have considered the arguments and have gone through the record carefully. Balwinder Kaur alias Bindu is a married sister of main

accused Krishandheer @ Lal. She is residing in different village. The main allegations are against Krishandheer @ Lal, husband of the deceased victim who is already arrested on 22.02.2023. The present petitioner is ready to join the investigation. Considering the aforesaid facts, the anticipatory bail application filed by the petitioner – Balwinder Kaur alias Bindu is allowed. She be not arrested. In case of her arrest, she be released on bail to the satisfaction of Arresting/ Investigating Officer, subject to the conditions enshrined under Section 438(2) Cr.P.C.

The petition is accordingly, accepted.

27.04.2023
lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No