

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M 34039/2023

Date of decision: 18.07.2023.

Prabhjot Kaur

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Ms. Shreya Rana, Advocate for the petitioner.

Nidhi Gupta, J.

Petitioner/complainant-Prabhjot Kaur in this petition under Section 439(2) Cr.PC seeks cancellation of regular bail granted to respondents No. 2 and 3 herein vide impugned order dated 4.2.2023 (Annexure P-5) passed by Id. Addl. Sessions Judge, Hoshiapur in case FIR No.01 dated 5.1.2023 lodged under Sections 498-A, 406 and 420 IPC, PS NRI, District Hoshiarpur.

Ld. Counsel for the petitioner submits that the marriage of the petitioner was solemnized with the accused Parminder Singh, who is son of the private respondents herein. It is submitted that father of petitioner spent huge amount, however, only four days after marriage co-accused Parminder Singh and respondents No. 2 and 3 started harassing and humiliating the petitioner for bringing less dowry and started raising demand for money. Ld. Counsel submits that co-accused Parminder Singh was having illicit relations with another woman. It is further contended that respondents No. 2 and 3 herein took money to the tune of Rs.22 lacs on the pretext that they are

constructing a kothi and therefore, compelled the petitioner to transfer the said amount into account of respondent no.2/father-in-law of the petitioner. It is submitted that accordingly, Id. Court below ought not to have granted bail to respondents No. 2 and 3 and prays for cancellation of bail.

Heard Id. Counsel for the petitioner.

Perusal of the record of the case shows that the petitioner is a permanent resident of America. Perusal of the FIR reveals that main allegations therein are made against the husband of the petitioner namely Parminder Singh who is alleged to be in extra-marital relation with another lady. Further allegations are against friend of the petitioner's husband namely Tarandeep Singh, who is alleged to have beaten the petitioner along with her husband.

The only allegation made against respondent no.2 in the FIR is that *"before solemnization of marriage my father-in-law got transferred an amount amounting to Rs.22 lacs from me....."* It has come on record that respondents No. 2 and 3 have admitted to paying Rs.29 lacs to the complainant/ petitioner. It has further come on record that petitioner and co-accused Parminder Singh were married in America and respondents No. 2 and 3 had no knowledge of the marriage of the petitioner with their son. Further, respondents No. 2 and 3 had been in custody since 27.1.2023 when they were granted bail vide impugned order dated 4.2.2023.

Be that as it may, in view of the prima facie facts and circumstances on record, and without expressing any opinion on the merits of the case, and in view of the fact that respondent no.2 is senior citizen about 66 years of age and respondent no.3 is about 56 years of age, I find no ground

is made out that warrants interference with the impugned order to cancel bail of the respondents No. 2 and 3.

Accordingly, present petition stands **dismissed**.

18.07.2023.
Joshi

(Nidhi Gupta)
Judge

Whether speaking/reasoned
Whether reportable

Yes
Yes/No