

215/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30361-2023
Date of Decision: 18.08.2023

SUKHWINDER KAUR
V/S
STATE OF PUNJAB

... PETITIONER
... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Anuj Dewan, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

1. On 13.06.2023, following order was passed by the Co-ordinate

Bench:

‘Prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.60, dated 29.04.2023, under Sections 498-A, 406, 308, 328 and 120-B of IPC, registered at Police Station Division No.2, District Pathankot.

FIR was lodged on the complaint of Preeti Kaur, daughter of Lt. Lakhbir Singh, wherein she alleged harassment for dowry by her husband Kharak Singh, mother-in-law Ratan Kaur, father-in-law Krishan Singh, grand father-in-law Diwan Singh, sister-in-law Sukhwinder Kaur, i.e., petitioner and brother-in-law Tajinder Pal Singh. It is also alleged that the accused including the petitioner had tried to kill her daughter, namely Gursirat Kaur by giving her mosquito repellent liquid. During investigation, statement of complainant was recorded in which she alleged that her husband and in-laws did not like her daughter Gursirat Kaur and that in the month of April, 2022, her husband and grand father-in-law with the intention to kill her daughter administered some soluble poisonous substance, due to which, health of her daughter deteriorated.

Learned counsel for the petitioner has pointed out towards the petition filed by the complainant Preeti Kaur under Section 125 Cr.P.C. (Annexure P-3), as per which, she along with her minor daughter were turned out from her

matrimonial home on 16.08.2021.

It is contended by learned counsel for the petitioner that in case complainant along with her daughter were turned out from her matrimonial home on 16.08.2021, there could be no question of administering any substance to the daughter of the complainant in April, 2022. It is also contended by learned counsel that be that as it may, the allegation of administering soluble poisonous substance is only against husband Kharak Singh and grand father-in-law Diwan Singh. Learned counsel for the petitioner further contended that grand father-in-law Diwan Singh has already been granted the benefit of anticipatory bail by this Court vide order dated 09.06.2023 passed in CRM-M No.30091 of 2023. Apart from this, co-accused Rattan Kaur has already been granted the benefit of regular bail by this Court vide order dated 31.05.2023 passed in CRM-M No.26739 of 2023.

Notice of motion.

On the asking of the Court, Mr. Navneet Singh, Sr. DAG, Punjab, appears and accepts notice on behalf of the respondent-State.

The factual position as disclosed by learned counsel for the petitioner, is not disputed by learned counsel for the State.

There is no specific averment against the petitioner, who is the sister-in-law of the complainant.

List on 13.07.2023.

In the meantime, petitioner is directed to join investigation and co-operate in the same. She will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, she shall be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

To be heard along with CRM-M No.30091 of 2023.”

2. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from ASI Narinder Kumar, has submitted that the petitioner has joined the investigation and her custodial interrogation is not required.

CRM-M-30361-2023

2023:PHHC: 107322

- 3 -

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.06.2023 is made absolute.

18.08.2023

Janki

**(VIVEK PURI)
JUDGE**

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