

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

1. CRM-M-57818-2022 (O&M)

Sumit Kumar	Versus	...Petitioner
State of Punjab		...Respondent

2. CRM-M-59707-2022

Krishan Lal	Versus	...Petitioner
State of Punjab		...Respondent

3. CRM-M-2386-2023

Paramjeet Kaur	Versus	...Petitioner
State of Punjab		...Respondent

Date of decision: 23.11.2023

CORAM:- HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. P. S. Ahluwalia, Advocate
for the petitioner(s).

Mr. Shubham Kaushik, AAG, Punjab.

Mr. Keshav Pratap Singh, Advocate
for the complainant.

MANISHA BATRA, J. (Oral)

1. This common order shall dispose of above noted three petitions
as they arise out of the same FIR.

2. Prayer in these petitions, filed under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail to the petitioners Sumit Kumar, Krishan Lal and Paramjeet Kaur in case FIR No. 405 dated 28.09.2022, registered under Sections 307, 498-A, 323, 506 and 120-B of the IPC at Police Station City Faridkot, District Faridkot.

3. Brief facts of the case relevant for the purpose of disposal of the present petitions are that on 31.07.2022, on receipt of information regarding sustaining of injuries by the complainant Ravneet Kaur and her being present in Civil Hospital, a police party had reached there and recorded the statement of the above said Ravneet Kaur, who alleged that she was married with petitioner/accused Sumit Kumar eight months back. Her father had spent huge amount of money on her marriage and substantial gold jewellery and other articles were given to petitioner Sumit Kumar and his family members at the time of wedding, apart from cash amount of Rs. 8 Lakhs. Shortly after the marriage, the maternal uncle of petitioner, namely Surjeet Kumar and his son Davinder Kumar had started giving taunts to the petitioner on account of her bringing insufficient dowry and they also started threatening her by raising demand of Rs. 20 Lakh for buying a big vehicle. She alleged that on 29.07.2022, Surjeet Kumar and Davinder Kumar had come to her matrimonial house and all of them, along with parents-in-law of the complainant, started taunting her again on account of bringing insufficient dowry and when the complainant resisted, her mother-in-law Paramjeet Kaur instigated her father-in-law Krishan Lal to eliminate her and thereafter, all of them opened an assault upon the complainant and tried to stangulate her with a *Dupatta*. The complainant, however, managed to save herself by raising rescue alarm, on hearing which, several persons

had gathered there. She had become unconscious and regained consciousness in a private hospital. She was then taken by her father to Faridkot, where she was medically treated. After registration of the FIR, investigation proceedings have started and the same are going on.

4. The present petitioners, who are husband and parents-in-law of the complainant, have filed the present petitions stating therein that they have been falsely implicated in this case. The complainant did not get herself medical examination conducted on 29.07.2022 and got herself medico-legally examined on 30.07.2022 at Faridkot, wherein her family members were posted in Police Department and managed to procure a false medical report as to one of the injuries being on her person as dangerous to life, though in fact she had not suffered any injury at all at the hands of the petitioners and had manipulated the medical report. The petitioner Sumit Kumar was not even present at the spot on the date of incident. In fact the complainant wanted to live separately from her in-laws and had been persuading her husband to do so and this case has been lodged as pressure tactics. The petitioners were ready to join investigation. Their custodial interrogation was not required. Hence, it is prayed that the present petitions deserve to be allowed.

5. The petitioners were directed to join investigation on 12.12.2022, 06.01.2023 and 20.01.2023, respectively. Status report has been filed learned State counsel. Learned State counsel, assisted by learned counsel for the complainant, has argued that there are serious allegations against the petitioners. Their custodial interrogation is required for proper investigation of the matter. Hence, the present petitions do not deserve to be allowed.

6. I have heard learned counsel for the parties at length and have perused the material placed on record very carefully. The petitioners have already joined investigation. Their custodial interrogation is not required. Nothing is to be recovered from them. As such, this Court is of the opinion that no useful purpose would be served by sending the petitioners into custody. Their presence can be secured by issuing them a written notice also. Therefore, taking into consideration the facts and circumstances of the case, the present petitions are allowed and the interim bail, granted to the petitioners vide order dated 12.12.2022, 06.01.2023 and 20.01.2023, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

7. Let a photocopy of this order be placed on the file of connected case.

23.11.2023
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No