

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CRM-M-24563-2024

Date of Decision: 01.08.2024

Kulbir Kaur

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Jasraj Singh, Advocate for the petitioner.

Ms. Guramrit Kaur, DAG, Punjab.

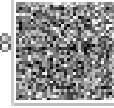
Ms. Kamalpreet Kaur, Advocate
for respondent No. 2-complainant.

NIDHI GUPTA, J. (ORAL)

The petitioner has filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 27 dated 13.04.2024 (Annexure P-1) registered under Section 498-A IPC at Police Station Sekhwan, Batala, District Gurdaspur.

On 16.05.2024, when this case was listed for hearing, following order was passed by a co-ordinate Bench of this Court:-

“Through the instant petition, prayer is made for grant of pre arrest bail to the petitioner in case FIR No. 27 dated 13.04.2024, under Section 498-A of IPC registered at Police Station Sekhwan, Batala, District Gurdaspur on the basis of written complaint filed by the complainant-Gurjit Kaur who is the daughter-in-law of the present petitioner making allegations of her being subjected to cruelty and harassment on demand of more dowry. It has been alleged that the members of her in-laws family had been harassing her by pressurising her to take share in the land owned by her parents as she has no brother and she has been physically assaulted as well. Allegations qua demand of an



amount of Rupees Five Lakhs has also been levelled. It is further alleged that she has been criminally intimidated by the members of her in-laws family.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case on the basis of non specific general vague and false allegations. Neither the allegations qua the petitioner punishable under Section 498-A of IPC has been made out and no specific role has been attributed to her nor there is any allegation as to what cruelty she was being subjected at the hands of the respondent.

Learned State counsel who has advance notice of the petition seeks some time to file status report.

Adjourned to 01.08.2024.

At this stage, on oral request of learned counsel for the petitioner, the complainant is ordered to be impleaded as respondent no.2.

Amended memo of parties be filed.

Notice to respondent no.2 be issued for the date fixed on filing of requisite process fee.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 16.05.2024 the petitioner has joined the investigation.

On instructions from ASI Mangal Singh, learned counsel for the State submits that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation on 20.05.2024 and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 16.05.2024 is made absolute.

However, the petitioner shall abide by the conditions



stipulated under Section 438(2) Cr.P.C. She shall also join the investigation and co-operate with the investigating agency in case she is required for the same in future as and when called upon to do so.

In case, at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

Pending application(s), if any, shall also stand disposed of.

01.08.2024
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether Reportable **Yes/No**