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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30685-2024

Date of Decision:- 05.07.2024

Balwinder Kaur and Another

....Petitioners

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gobind Singh Randhawa, Advocate
for the petitioners.

Mr. Amandeep Singh, D.A.G. Punjab.

AMARJOT BHATTI, J.

The petitioners – Balwinder Kaur and Satnam Singh @ Kala Singh have filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 17 dated 12.03.2024 under Sections 323, 325, 326, 34 of IPC (Section 498-A of IPC added later on and Section 326 of IPC deleted), registered at Police Station Mehta, District Amritsar Rural.

2. Brief facts of the case are that Robinpreet Kaur complainant has given her statement regarding the incident of 04.03.2024 when at about 06:30 am she was given beating by her husband Gurvir Singh armed with *Datar*, Balwinder Kaur (mother-in-law) armed with *Danda*, Kala Singh armed with *Danda*, Sarabjit Kaur empty handed, Sonu (sister-in-law) empty handed and Binda (husband of her sister-in-law) empty handed. She alleged that she got married on 12.12.2022 and is mother of a son Gurnwabdeep Singh who is about 6 months old. She was beaten up on

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account of bringing less dowry. She was taken to hospital and medico legal report was prepared.

3. Learned counsel for the petitioners argued that all the allegations are false and baseless. Gurvir Singh husband of the complainant was arrested on 29.05.2024 whereas the anticipatory bail application filed by present petitioners was declined by learned Additional Sessions Judge, Amritsar vide order dated 07.06.2024 (Annexure P-2). Present petitioners are ready to join the investigation as and when required. It is prayed that their anticipatory bail application may be allowed.

4. Bail application is opposed by learned counsel representing the State. Status report is filed along with opinion of doctor. As per the MLR, complainant had suffered five injuries, out of which injury No. 2 on left little finger was declared as grievous which is attributed to Balwinder Kaur (mother-in-law). During investigation offence under Section 498-A of IPC was added whereas offence under Section 326 of IPC was deleted. For the purpose of investigation, their custodial interrogation is required.

5. I have considered the aforesaid facts. Present petitioner Balwinder Kaur is attributed *Danda* blow on the person of complainant Robinpreet Kaur who suffered grievous injury on her left little finger. Apart from this other injuries are simple in nature. Balwinder Kaur is about 58 years of age whereas Satnam Singh @ Kala Singh is also 52 years of age. There is family dispute which has resulted into registration of FIR. Husband of complainant is already arrested. Present petitioners are ready to join the investigation.

Considering the aforesaid factual position, anticipatory bail application filed by petitioners – Balwinder Kaur and Satnam Singh @

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Kala Singh is allowed. They be not arrested. In case of their arrest, they be released on bail to the satisfaction of Arresting/ Investigating Officer subject to the condition that petitioners will join the investigation as and when required. They will not tamper with or interfere with the investigation and will not leave the country without prior permission as provided under Section 438(2) Cr.P.C.

6. Petition is accordingly, allowed.
7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

05.07.2024
lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No