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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-1533-2025

Date of Decision:- 14.01.2025

MANDEEP KAUR

....Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rajveer Singh Brar, Advocate for petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 483 (3) of BNSS read with Section 528 BNSS for cancellation of bail granted to respondent No.2 vide order dated 30.12.2024 passed by the learned Additional Sessions Judge, (Vacation Judge/Duty Judge), Faridkot in case titled as “Kamaljeet Kaur Vs. Mandeep Kaur”, in a complaint case bearing CIS No.COMI-75-2022 under Sections 498-A, 406, 506, 323, 334 and 34 of IPC.

2. It is argued that present petitioner filed complaint against respondent No.2. Summoning order dated 25.10.2024 was passed which is Annexure P-1. Respondent No.2 applied for anticipatory bail before learned Additional Sessions Judge (Vacation Judge/Duty Judge), Faridkot and the same was allowed vide order dated 30.12.2024 (Annexure P-2).

Present petitioner was not given any opportunity of being heard and respondent No.2 was ordered to be released on anticipatory bail. Therefore, feeling aggrieved of said bail order, present petition has been filed seeking cancellation of bail order dated 30.12.2024.

3. I have considered the arguments and have gone through the record. There is copy of summoning order dated 25.10.2024 (Annexure P-1) vide which accused Jashandeep Singh and Kamaljeet Kaur were ordered to be summoned to face trial under Sections 506, 406 and 498-A of IPC. Thereafter, Kamaljeet Kaur filed anticipatory bail in the said complaint case which was allowed by the Court of learned Additional Sessions Judge (Vacation Judge/Duty Judge), Faridkot vide order dated 30.12.2024 (Annexure P-2).

4. Notice of said application was issued to the prosecution and Mr. Siddharth Sandhu, AAG, Punjab, who appeared on behalf of State opposed the bail application.

5. It is evident that notice was not issued to the complainant – Mandeep Kaur i.e. present petitioner. Fact remains that it is a complaint case in which summoning order has been passed against the accused under Sections 506, 406, 498-A of IPC. In a complaint case no recovery was to be effected. Respondent No.2 was ready to face the trial in the said complaint case. Therefore, no purpose would have been served by sending her behind the bars. Considering the said factual position, no interference is required in the order dated 30.12.2024 and the petition filed by present petitioner seeking cancellation of bail in favour of respondent No.2 is accordingly declined.

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

(AMARJOT BHATTI)
JUDGE

14.01.2025
snd

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