



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

119

CRM-M-32948-2025
DATE OF DECISION: 20.06.2025

RAJWINDER KAUR

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sukhbir Maandi, Advocate for the petitioner(s).

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)1. Prayer

This petition has been filed under Section 482 of B.N.S.S., 2023 for grant of anticipatory bail to the petitioner in case FIR No. 220, dated 30.10.2024, u/s 132, 87 of BNS, 2023 (later on offence u/s 132 BNS stands deleted and offence u/s 137 (2) of BNS added vide GD No. 10 dated 31.10.2024), Police Station Lopoke, District Amritsar Rural in view the peculiar facts and circumstances, in the interest of justice.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

‘Statement of Jasbir Kaur wife of Late Narinder Singh resident of Manna Wala aged about 33 years, Mobile No. 7814116260, stated that I am resident of above noted address. I have two children, my elder daughter is Rujmanpreet Kaur aged



about 17 years and younger to her is son Arshdeep Singh aged about 14 years. On 25.10.2024, unknown person has taken away my daughter Rujmanpreet Kaur on the pretext of marriage. Legal action be taken against him. RTI/-Certified by Pargat Singh ASI, PS Lopoke, Dated 30.10.2024. Police proceedings.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He submits that the petitioner is real bhabhi of the complainant and there is matrimonial dispute pending between the petitioner and the real brother of the complainant, hence, the complainant levelled false allegations of kidnapping against the present petitioner and other family members of the petitioner to pressurise to settle the matrimonial dispute. He further submits that the FIR was registered earlier against some unknown persons and there is unexplained delay of 5 days in lodging the FIR. He has argued that since the victim has already been recovered and nothing is remained to be recovered, custodial interrogation of the petitioner is not required.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Inspector Himanshu Bhagat opposes the prayer for



grant of concession of anticipatory bail stating that there are allegations levelled against the petitioner and her co-accused that they kidnapped the minor daughter of the complainant but has fairly submits that the the victim has been recovered and is with her mother since 09.01.2025.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties, especially to the effect that the victim has already been recovered, no further recovery is to be made from her, and probability of false implication cannot be denied as matrimonial dispute is pending between her and complainant's brother; this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to her joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-



‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

20.06.2025
anuradha

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