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

**CRM-M-35742-2025
Date of decision: 10.07.2025**

BALJIT KAUR

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Brijesh, Advocate for the petitioner.

JASGURPREET SINGH PURI, J.

1. The present petition has been filed under Section 483(3) read with Section 528 of BNSS, 2023 for cancellation/annulment/setting aside of anticipatory bail granted to respondents No.2 to 4 vide order dated 14.05.2025 (Annexure P-2) by the learned Additional Sessions Judge, Patiala in bail application Nos.BA-937-2025 and BA-980-2025 arising out of FIR No.21 dated 11.03.2025, under Sections 420, 498-A and 406 of the IPC, registered at Police Station Sanour, District Patiala, Punjab.

2. Learned counsel for the petitioner submitted that by way of the impugned order dated 14.05.2025 (Annexure P-2), the learned Additional Sessions Judge, Patiala has granted anticipatory bail to respondents No.2 to 4 erroneously and therefore, the aforesaid impugned order is liable to be set aside. He further submitted that respondent No.2, namely, Kuljit Kaur is the sister-in-law of the daughter of the complainant, respondent No.3, namely, Ravinder Singh is the husband of respondent No.2, respondent No.4, namely, Baljit Singh



is the younger brother of co-accused-Himmat Singh and Himmat Singh is the father-in-law of the daughter of the complainant and the present FIR was registered under Sections 420, 498-A and 406 of the IPC against the accused persons including respondents No.2 to 4, who are the relatives of the husband of the daughter of the complainant. He also submitted that there were specific allegations pertaining to retaining of *istridhan*, although respondents No.2 to 4, who have been granted the concession of anticipatory bail are the relatives of the husband of the daughter of the complainant but since the *istridhan* has not been returned, the learned Additional Sessions Judge, Patiala has erroneously granted the concession of anticipatory bail to them and therefore, the same may be set aside.

3. I have heard the learned counsel for the petitioner.

4. Respondents No.2 to 4 are stated to be the relatives of the husband of the daughter of the complainant and a perusal of the aforesaid impugned order would show that so far as the husband of the daughter of the complainant is concerned, he has already gone abroad and the present FIR has been registered not only against the husband, namely, Jaideep Singh but also against his relatives with the allegations of domestic violence and retaining of *istridhan*. The marriage between the aforesaid Jaideep Singh and the daughter of the complainant was solemnized on 02.12.2020. After the marriage, the daughter of the complainant went abroad on 11.08.2022 and thereafter, aforesaid Jaideep Singh also went abroad where they lived together but there were certain allegations of harassment when they were residing abroad. Respondents No.2 to 4, who are the relatives of the husband of the daughter of the complainant are residing separately at Mohali.



5. The learned Additional Sessions Judge, Patiala observed that the ends of justice will be met in case respondents No.2 to 4 are directed to join the investigation within a period of 10 days and assist the Investigating Officer/Station House Officer of the concerned Police Station as and when called and thereafter, be released on anticipatory bail on their furnishing personal bonds in the sum of Rs.50,000/- with one surety each in the like amount and to comply with the provisions of Section 438(2) Cr.P.C. (Section 482(2) of BNSS, 2023) and in case of non-compliance, the order of anticipatory bail shall vacate automatically and in this way, the application for grant of anticipatory bail was disposed of.

6. The present petition has been filed to challenge the grant of anticipatory bail to respondents No.2 to 4, who are merely the relatives of the husband of the daughter of the complainant. The present petition seeking cancellation/annulment of anticipatory bail granted to respondents No.2 to 4 has been filed by Baljit Kaur, who is the wife of aforesaid Jaideep Singh, through her mother, namely, Manjit Kaur, who is the complainant because aforesaid Baljit Kaur is residing in Canada. In this way, both the husband and wife are residing abroad and the relatives of the husband are facing the present FIR in India. The learned Additional Sessions Judge, Patiala vide aforesaid impugned order granted the concession of anticipatory bail to respondents No.2 to 4 with a direction that they shall join the investigation and comply with the provisions of Section 438(2) Cr.P.C. (Section 482(2) of BNSS, 2023) and in case of non-compliance, the order granting anticipatory bail shall stand automatically vacated. In view of the above, this Court does not find any ground to interfere



or to set aside the order granting anticipatory bail to respondents No.2 to 4, who are the relatives of the husband of the daughter of the complainant.

7. It is a settled law that while considering the prayer for cancellation/annulment of bail already granted, the Court should always adopt a very cautious approach since it directly affects the right to freedom of an individual. Therefore, a balance has to be struck between the right to freedom on the one hand, which is the Fundamental Right and the allegations, role and seriousness of the offence involved etc. on the other hand. In the present case, considering the aforesaid facts and circumstances, the right to life and personal liberty enshrined under Article 21 of the Constitution of India will outweigh the other factors as aforesaid. Therefore, this Court is of the considered view that no ground is made out for cancelling/annulling/setting aside the anticipatory bail granted to respondents No.2 to 4 vide order dated 14.05.2025 (Annexure P-2) by the learned Additional Sessions Judge, Patiala.

8. Consequently, the present petition being devoid of any merit is hereby dismissed with Rs.5,000/- (Rupees Five Thousand) as costs. The aforesaid costs shall be deposited by the petitioner before the Punjab and Haryana High Court Bar Association Lawyers Family Welfare Fund, within a period of three months from today.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

10.07.2025
Chetan Thakur

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