

CRM-M-42864-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42864-2024
Reserved on: 11.03.2025
Pronounced on: 25.03.2025

Mandeep Kaur @ Bittu ...Petitioner

Versus

State of Punjab ...Respondent

CRM-M-44439-2024

Avdish Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rakesh Sharma, Advocate
For the petitioner(s) in CRM-M-42864-2024.

Mr. Naveen Kumar Kuhad, Advocate
Mr. P.K.S. Phoolka, Advocate
For the petitioner(s) in CRM-M-44439-2024.

Mr. Sukhdev Singh, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0058	19.07.2024	Ballianwali, District Bathinda	318(4), 303(2) BNS

1. This order shall dispose of two petitions as mentioned above. For the sake of brevity, facts have been taken from *CRM-M-42864-2024 titled as Mandeep Kaur @ Bittu vs. State of Punjab.*
2. The petitioner(s) apprehending arrest in the FIR captioned above had come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
3. Vide order dated 31.08.2024 (in CRM-M-42864-2024) and order dated 12.09.2024 (in CRM-M-44439-2024), the petitioner(s) were respectively granted interim bail, which continues to date.
4. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

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“To, Station House Officer, Police Station Balianwali, Application from Jaspal Singh Son of Jagjeet Singh resident of Dhadde Mobile No.98762-51091 against 01) Harpreet Kaur alias Preet Daughter of Jaswinder Singh resident of Village Sardulewala 02) Bhola Singh Son of Karam Singh 03) Wife of Bhola resident of Dhadde 04) Mandeep Kaur Wife of Aman Singh resident Rampura 05) Soni Singh resident of Bathinda. Sir, it is requested that I am resident of the above address and is engaged in the work of agriculture. I have two children, elder is daughter and younger is son Harpal Singh who is about 23 years old and is unmarried. I was looking a suitable match for his marriage In January, 2024, Bhola Singh Son of Karam Singh resident of Dhadde came to my house and stated that there is one girl in the relation of his friend Soni Singh resident of Bathinda and can see for the marriage of Harpal Singh then I accepted it. After few days Bhola Singh came to my residence along with above said Soni Singh. Bhola told me that he is his friend from Bathinda and there is a girl in his relations in village Sardulewala District Mansa who is to be get engaged with Harpal Singh then Sony Singh of Bathinda seen our house and family and said that they liked the boy and thereafter, we fixed the Shagun on 10.02.2024. We along with the family went to village Sardudewala and handed over Shagun of my Son Harpal Singh to above said Harpreet Kaur alias Preet and date of marriage was fixed for 11.08 2024, Thereafter, me son Harpal Singh started talking to Harpreet Kaur alias Preet from his Mobile No.98773-35519 upon her Mobile No.63784-72910 with each other and after few days my son Harpal Singh remained depressed and I asked from him the reason for his stress then Harpal Singh told me that Harpreet Kaur was talking to me on phone and she took Rs.90,000/- (Rupees Ninety Thousand Only) from me a few days back and thereafter took Rs.2,00,000/- Lakh (Rupees Two Lakhs only) in cash from him and had said to him that you have to prepare gold for me, my gold is pledged and she will get released her gold with the above amount and she will give Gold and the same be given to her on the day of marriage. Thereafter, Harpreet Kaur alias Preet and above Mandeep Kaur came to village Dhadde Bus Stand after contacting me on phone 15 days back and they called me and both entangled me in talks and took away Rs.1.20.000/- from the side bag of my motorcycle of which I came to know later on. Now, I contacted Harpreet Kaur alias Preet on phone then she evaded any answer. On being narrated whole story to me by my son we contacted them then above said Harpreet Kaur alias Preet stated that we all together have cheated you and committed theft of your amount and do whatever you want to do. I am not going to marry your son anymore. I also came to

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know that all these persons have made a group who dupes people on the pretext of marriage. All these have duped me and my family on pretext of getting my son married with Harpreet Kaur alias Preet. Harpreet Kaur and Mandeep Kaur also committed theft of the cash amount of my son, therefore, legal action be taken against all of them. I shall be thankful to you. Sd/-Jaspal Singh above."

5. The petitioners' counsel pray for bail by imposing any stringent conditions. The petitioners' counsel argued that the custodial investigation would serve no purpose whatsoever and the pre-trial incarceration would cause an irreversible injustice to the petitioner(s) and family. He further submits that petitioners already joined into the investigation and they are first offender.

6. The State's counsel opposes bail and refers to the reply.

7. The petitioners, who are women and first offender, were granted interim protection, and during the interregnum, there is no allegation that they had intimidated the witnesses, hampered the investigation, or, despite being called to join the investigation, did not appear before the investigator. Given the above, there would be no justification to discontinue the interim protection, which is made absolute.

8. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

9. **Petition(s) allowed** in terms mentioned above. Interim orders dated 31.08.2024 (in CRM-M-42864-2024) and order dated 12.09.2024 (in CRM-M-44439-2024) are made absolute. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

25.03.2025

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Whether speaking/reasoned: Yes

Whether reportable: No.