

**IN THE COURT OF SH.PREM KUMAR,ADDL. SESSIONS
JUDGE, GURDASPUR(UID No.PB0451)**

Bail Application No. 239/2019

Date of Instn. : 27.05.2019

CIS No. BA-1443-2019

CNR No. PBGD01-

Date of order : 03.06.2019

Dalbir Kaur aged about 75 years wife of Sh. Lakhwinder Singh,
resident of village Kothe Majithi (Behrampur), Tehsil and District
Gurdaspur.

..Applicant-accused

Versus

State of Punjab

..Respondent.

FIR No.0028 Dated 24.05.2019

U/Ss 498-A, 406, 120-B IPC

Police Station Tibber.

Ist Bail application U/s 438 Cr.P.C.

Present: Sh.Uttam Raj Sharma, Advocate for applicant.
Sh.K.S. Gill, Addl.P.P for State, assisted by
Sh. Rajiv Bhatia Advocate, counsel for complainant.

ORDER:

1. This order of mine shall dispose of bail
application under Section 438 Cr.P.C. by applicant-accused Dalbir
Kaur in the above mentioned FIR.

2. Upon notice of this bail application, learned
Addl.P.P appeared on behalf of State and Sh. Rajiv Bhatia Advocate
appeared on behalf of the complainant and opposed the bail
application. Police record was also summoned.

3. The present case was registered on the statement
of complainant Amandeep Kaur to the effect that on 23.03.2015 her

marriage was solemnized with Ranjit Singh at Dalbir Palace Pahra according to religious rites and rituals. At the time of marriage her parents had given sufficient dowry articles including jewellery and cash of Rs. 3,00,000/-for purchasing some more articles of dowry. Her in-laws family started taunting her and maltreating her for bringing not adequate dowry. After ten days of the marriage her husband went abroad i.e. Italy by saying her that she be brought a heavy vehicle and gold jewellery from her parents. Her mother-in-law also started maltreating her on the asking of her husband and also said that her parents be fulfill their demands. Her in-laws family turned her out from her matrimonial house and about 1-1/2 years ago her parents had given Rs. 7,00,000/-to her mother-in-law and husband, but her in-laws family did not change their behaviour and on 20.01.2019 her mother-in-law and other relatives Tarlok Singh, Santokh Singh etc. threatened her by saying that they will not keep her in their house as her parents did not fulfill their demand of dowry and turned her out from her matrimonial home.

4. Learned counsel for applicant/accused argued that the applicant/accused is respectable lady and has good respect in the village and nearby area. He contended that the marriage between the son of accused/applicant and above said Amandeep Kaur was solemnized on 23.03.2015 according to Sikh rites and marriage was solemnized in simple manner. No dowry articles demanded at the time of marriage and thereafter. He further argued that complainant is not living there as her husband is residing abroad. Even earlier she effected compromise and now after getting huge amount in the shape

of FDR she again herself started residing in the parental home. The accused/applicant is innocent and has not committed any offence and prayed that applicant/accused be granted anticipatory bail.

5. On the other hand, learned Addl.P.P for State assisted by counsel for complainant opposed the bail application on the ground of gravity of offence. The applicant torturing the complainant by maltreating and demanding more dowry. Husband is residing abroad. She is the only female in the family. Complainant also stated that she made huge amount and dowry articles to the applicant which are still lying in their possession. Prayed for dismissal of bail application.

6. Heard.

Record perused. As per record the accused/applicant sold plot from Behrampur for the amount of Rs.17,00,000/-and out of which Rs. 3,00,000/- deposited in the name of complainant in the shape of FDR at Central Bank of India, Behrampur vide FDR No.232970 and now the complainant has withdrawn the amount of FDR from the bank and opened her bank account bearing no.50100191052842 in HDFC Bank, Gurdaspur on her name. So, considering all these facts and circumstances, I find it a fit case where benefit of interim bail can be given to the applicant/accused Dalbir Kaur, and as such she is granted interim anticipatory bail. The applicant/accused Dalbir Kaur is directed to surrender before the Investigating/Arresting Officer/SHO of Police Station Tibber to join the investigation within ten days from today and cooperate the investigating agency and to provide all the dowry

articles as given at the time of marriage and the Investigating Officer/Arresting Officer shall admit the applicant Dalbir Kaur on police bail to its own satisfaction. A copy of this order be sent to the Investigating officer/SHO of Police Station Tibber. The report of the Investigating Officer be called for 02.07.2019 as to whether the accused/applicant has joined the investigation or not.

Pronounced in open Court:

Dt: 03.06.2019

Shiv Kumar,
Stenographer-I

(Prem Kumar)

Addl. Sessions Judge,
Gurdaspur.(UID No.PB0451)