

CNR No. PBSG01004466-2023

BA -1615 -2023

Suman Rani Versus State of Punjab
Application under Section 438 Cr.P.C.
FIR No. 09 of 05.05.2023.
U/s 498-A IPC.
P.S. Women Police Station Malerkotla.

Present: Mr. Saurav Garg, Advocate, for applicant.
Mr. Mahesh Goyal Additional PP for the State.
Complainant in person.

ORDER

The applicant-accused has filed the present application under Section 438 Cr.P.C, for releasing her on anticipatory bail.

2. Upon notice, learned Additional PP for the State appeared and produced the record.

3. Heard learned counsel for applicant, learned Additional PP for the Stat and also perused the record.

4. It is contended by the learned counsel for applicant that applicant is the mother-in-law of the complainant. No dowry articles were demanded by the applicant. No offence has been committed by her. She has been falsely implicated in the present case. Her custodial interrogation is not required. The police is raiding the house of applicant to arrest her. If she is arrested, she would be humiliated in the society. She is ready to join the investigation as and when so directed and will abide by all the conditions imposed by the Court. Hence, the prayer for relief of anticipatory bail.

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5. On the other hand, learned Additional PP for the State has vehemently argued that as allegations against the applicant are grave in nature, she does not deserve the leniency of the Court in grant of relief of anticipatory bail.

6. FIR in the present case was got lodged on the basis of complaint moved by complainant Priya Handa, wherein she alleged that her marriage was solemnized with Gaurav Puri on 23.01.2022 as per Hindu Rites and Ceremonies. Her parents had spent Rs. 10 lakh on her marriage and had also given sufficient dowry articles along with gold ornaments as per demand of accused. After some time of marriage, her mother-in-law (applicant) started harassing her for bringing less dowry and also taunted her that her parents had not given dowry as per their demand. Applicant told that if she wanted to stay in her matrimonial home, she had to get car from her parents. When she showed inability to fulfill their illegal demand, her husband started harassing her at the instance of remaining accused. Her sister-in-law and her husband (sister-in-law's husband) used to interfere in her family matters. Complainant tolerated all their atrocities with the hope that good sense might prevail but accused did not change their behaviour towards her and complainant conceived. Accused used to harass her physically and mentally. On 23.03.2022, applicant started demanding dowry instead of car at the instance of her sister-in-law. When she showed her inability to fulfill their illegal demand, applicant gave beating to her and she fell down. Applicant

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turned her out from her matrimonial home and threatened that if she would not fulfill their demand of dowry, she would not rehabilitate her in matrimonial home. All the dowry articles are in their possession. She gave birth to a child but child expired after two days from birth due to impact of harassment given by her in-laws family during her pregnancy. Her parents along with some respectables tried to make understand applicant and requested to rehabilitate the complainant but applicant remained adamant on her illegal demand of dowry and refused to rehabilitate her. She insulted her parents and respectable persons and turned them out from her house. Since then she was residing in her parental house.

7. Applicant is the mother-in-law of complainant. There is nothing on record to reflect that the applicant has any previous criminal antecedent. No specific allegations with regard to entrustment and grave cruelty have been levelled against the applicant. So far harassment to complainant and death of her child after delivery is concerned, these are matters of trial. No useful purpose is to be served by sending the applicant behind the bars. Without commenting much on the merits of the case, the Court is of the opinion that it is a fit case where the applicant, first of all, would be allowed to join investigation for facilitating the process of investigation. Accordingly, applicant is directed to join the investigation to facilitate the investigation **on 27.05.2023** and in the event of her arrest, she shall be released on interim bail to the satisfaction of the

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Investigating Officer/ Arresting Officer till the next date of hearing
subject to the following conditions:

- (i) The applicant shall make herself available as and when required by the investigating agency for interrogation.
- (ii) The applicant shall not induce/threaten any of the prosecution witness or tamper the evidence of the prosecution in any manner.
- (iii) The applicant shall not leave the country without prior permission of the court.

Compliance report be awaited for **29.05.2023**.

Pronounced in open Court.

Dated: 24.05.2023.

(Saru Mehta Kaushik)
Additional Sessions Judge,
Sangrur (UID-PB0442)

(Direct Dictated)

(Sapna)
Stenographer-I.

(Saru Mehta Kaushik)
ASJ, Sangrur.
24.05.2023.