

IN THE COURT OF MRS. MANJOT KAUR (PB-0097)
ADDITIONAL SESSIONS JUDGE
(EXCLUSIVE COURT FOR HEINOUS CRIMES AGAINST
WOMEN), PATIALA

Filing No. BA199 of 2019
CNR No. PBPT01000669/2019
Date of Order: 23.1.2019

Kanta Devi Vs. State of Punjab.

Application for bail u/s 438 Cr.P.C

Present: Sh. S.L. Agnihotri, advocate, counsel for the
applicant.
Sh. Rakesh Goyal, Ld. Addl. PP for the State

ORDER

1. This order of mine shall dispose of an application U/s 438 Cr.P.C., for grant of bail filed by applicant Kanta Devi in case FIR No.10 dated 11.1.2019 under section 323/354/380 IPC, P.S City, Rajpura.

2 Upon notice, Ld. Addl. Public Prosecutor assisted by the investigating officer has appeared to represent the State and to contest the bail application.

3. I have heard learned counsel for the applicant and learned Addl. PP for the State and have gone through the record carefully.

4. It is the case of complainant Reena Rani wife of late Ravi Kant that her marriage was performed with Ravi Kant son of Sh.Jagga Ram R/o Old Rajpura on 17.2.2009. From this wedlock, two daughters were born who are aged about 8 years and four years. Her husband had expired on 13.3.2018. Soon after her marriage her mother in law Kanta Devi wife of Jagga Ram and brother in laws Sunil Kumar and Sandeep

kaur and sister in law Vaneeta started harassing her physically and mentally and also used to taunt her on account of bringing less dowry. Her husband protested the same and upon which her inlaws made them separate in residence and mess. Even then, her mother in law and brothers in laws did not stop interfere in their matrimonial life and told them to vacate the said house. Due to the aforesaid behaviour of her in-laws, her husband went into depression and ultimately expired on 13.3.2018 due to high blood pressure. Soon after the death of her husband, her mother in law and brother in laws again started harassing her mentally and physically. Thereafter, her parents had taken her alongwith her children to her parental house. In the mean time, her mother in law and brothers in law took possession of her house and gold articles by breaking open the locks of her house. Thereafter, she alongwith her children were sent back to her matrimonial house. During her stay in the matrimonial house, on one night, both her brothers in law having consumed liquor started knocking at the door of her room and using obscene words. However, she did not open the door of her room. Thereafter, her parents had took her back to her parental house. Thereafter, her mother in law made a false complaint against her in P.S.Rajpura, which matter was compromised.

5. From the aforementioned allegations, it has clearly culled out that the house which had been given to the complainant and her husband to live in is owned and possessed by her mother in law, thus the point of controversy between the parties is with regard to possession of the said house. Even in the compromise dated 9.9.2018 which is stated to be entered into between the parties, complainant and her mother in law had both consented to live together in the house in question. Then with regard to the two brothers in law of the complainant having outraged her

modesty, complainant has not specified any date, month or year when the event in question took place and moreover she also did not make any complaint to any authority in this regard. In the said circumstances, custodial interrogation of the bail applicant is not called for. Accordingly, applicant is directed to join the investigation as and when called by the investigating officer and in the event of her arrest, she shall be released on interim bail subject to her furnishing of bail bonds/surety bonds worth Rs. 1,00,000/- within 7 days from today till the next date of hearing with the following conditions:

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

Now to come up on 30.1.2019 for report of investigating officer.

Date of order:23.1.2019
Typed by Seema Rani
Stenographer-II
Next date:30.1.2019
Purpose:

(Manjot Kaur)(PB-0097)
Additional Sessions Judge
Patiala/

