



101+209

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22773-2024 (O&M)

Date of Decision:- 04.03.2025

PARAMJIT KAUR

...Petitioner

Vs.

STATE OF PUNJAB & ANR

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vivek Salathia, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab

Mr. M.S. Sidhu, Advocate for respondent No.2.

AMARJOT BHATTI, J.**CRM-8756-2025**

Learned counsel for applicant/petitioner has filed an application for placing on record Annexures P-2 & P-3.

Learned counsel for the State submits that he has no objection to the application being allowed.

For the reasons mentioned in the application and no objection suffered by State counsel, application is allowed and accompanied documents are taken on record as Annexures P-2 and P-3.

Main case.

1. Petitioner has filed instant petition under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.6 dated 02.04.2024 under Sections 406 and 498-A of IPC registered at Police Station PS



NRI, District Patiala.

2. As per facts of the case, one letter was received in NRI Wing dated 01.04.2024 from Additional Director General of Police, NRI Wing, SAS Nagar along with complaint No.2399361 dated 10.03.2023 from Parwinder Kaur Dhamoli, Rajpura, District Patiala with investigation report regarding registration of case against Talwinder Singh. In the said complaint Parwinder Kaur complainant alleged that she got married with Talwinder Singh on 31.01.2021 according to Sikh rites. At the time of marriage, she was given car, gold-silver ornaments, clothes and other household and about Rs.5 lakhs were spent in marriage. After marriage she came to the matrimonial home along with her husband Talwinder Singh. After few days of marriage, her mother-in-law started quarreling with her without any reason. She used to stop her husband from consuming liquor. She tolerated the behaviour of her husband and mother-in-law to save her marriage. Both husband and wife shifted to England. Whole expenditure was borne by her parents. She has mentioned various amounts which her father had given from time to time. On 10.05.2022 she went to England on study visa. Her husband took sum of Rs.3 lakhs from her brother Gurjinder for going abroad. Talwinder Singh also reached England on Visitor Visa on 05.07.2022. Even in England, she was ill treated by her husband. Her husband returned money to the tune of Rs.5,05,227/- by depositing amount in the account of her brother and the sum of Rs.16,25,852/- are still due towards him. She returned to India with medical problem. Ultimately, she took treatment from PGI



Chandigarh. Her husband continue to stay in England after expiry of visa in an illegal manner. Complainant alleged mental and physical cruelty caused by her husband and mother-in-law i.e. present petitioner on the basis of present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against present petitioner – mother-in-law are false and without any basis. After marriage, husband and wife had gone to England. Due to their differences in temperament they could not adjust with each other. Complainant returned to India whereas son of present petitioner continue to live in England in an unauthorized manner. Learned counsel for petitioner pointed out that petitioner was granted interim bail vide order dated 07.05.2024. She also deposited costs of litigation to tune of Rs.30,000/-. Alto car given at the time of marriage is also returned. Memo regarding this is Annexure P-2. So far as, gold ornaments are concerned, they were taken away by brother of complainant for raising gold loan. Therefore, petitioner does not have any gold ornaments belonging to the complainant as the same are already handed over to her brother. It is pointed out that Investigating Agency can verify this fact during the course of investigation. Petitioner is ready and willing to join the investigation as and when required.

4. Bail application is opposed by learned counsel representing State assisted by learned counsel for the complainant. It is pointed out that as narrated in the FIR, huge amount of Rs.16,25,852/- are yet to be recovered. Petitioner has not handed over gold ornaments. Allegations of maltreatment are specific and serious in nature.



Therefore, petitioner is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record carefully. As per the facts narrated in the FIR, complainant Parwinder Kaur and Talwinder Singh got married on 31.01.2021. Parwinder Kaur went to England on 10.05.2022 whereas Talwinder Singh reach England on 05.07.2022. Both husband and wife had matrimonial dispute. Complainant returned to India whereas Talwinder Singh over stayed in England in an illegal manner. Complainant alleged that her parental family had given huge amount for sending them England and out of which small amount of Rs.5,05,227/- has been returned and remaining amount of Rs.16,25,852/- is yet to be recovered. Regarding gold ornaments, present petitioner has taken specific stand that the same were handed over to the brother of complainant who raised loan from Mithu Finance. This fact is not disputed by counsel for complainant rather it is alleged that brother of complainant had raised gold loan by pledging his own gold ornaments. This fact requires investigation and the same will be adjudicated during the course of trial. So far as Alto car is concerned, the same is already returned by present petitioner and this fact is also confirmed by learned counsel representing State as well as counsel for complainant. Petitioner, who is mother-in-law of the complainant, is still ready to join the investigation. In light of aforesaid factual position, interim bail already granted in favour of petitioner vide order dated 07.05.2024 stands confirmed subject to the conditions enshrined under Section 438 (2) Cr.P.C.



6. Petition is, accordingly, disposed of.
7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

04.03.2025

snd

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No