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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-13943-2024

Date of Decision:- 23.07.2025

GURPREET KAUR

...Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rakesh Gupta, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioner Gurpreet Kaur has filed instant petition under Section 482 Cr.P.C. with the direction to respondents to take appropriate steps for securing presence of accused Harinder Singh son of Bhupinder Singh in accordance with law involved in FIR No.50 dated 25.11.2020 (Annexure P-1) under Sections 406 and 498-A of IPC, registered at Police Station Women, District Ludhiana and further direction to respondent No.2 to inquire into the matter and to decide representation dated 09.10.2023 (Annexure P-2) or any other order which the Court may deem fit in the present case.

2. Learned counsel representing petitioner pointed out that on



account of matrimonial dispute, at her instance FIR No.50 dated 25.11.2020 (Annexure P-1) was registered under Section 406 and 498-A IPC against her husband and both in-laws. Her father-in-law and mother-in-law were released on bail and they are facing trial whereas her husband Harinder Singh went to Canada during the pendency of the case. He was not arrested nor he applied for bail. He is the main accused. Petitioner approached respondent No.3 to take appropriate steps to arrest Harinder Singh. She also filed application dated 09.10.2023 (Annexure P-2). Police authorities did not take any appropriate steps to secure the presence of Harinder Singh, therefore, she filed the present petition.

3. Status report dated 13.11.2024 and supplementary status report dated 11.07.2025 filed by official respondents wherein it is confirmed that aforesaid FIR has been registered on the written complaint of the petitioner according to which marriage of petitioner was performed with Harinder Singh on 14.02.2016. Out of this wedlock, she is having a daughter born on 10.12.2016. In May, 2017, her husband went to Germany and in June, 2017 she was turned out of the matrimonial home. On 03.02.2018 petitioner along with her daughter shifted to Germany to join the company of her husband. They returned to India on 04.11.2019. Petitioner levelled allegations of continuous harassment and physical assault. Complaint was filed by the father of the petitioner and the matter was compromised on 20.02.2020. Arrangement regarding custody of child was also settled. As per the allegations, husband took forcible custody of minor child on 31.03.2020. In



the FIR, both Bhupinderpal Singh (father-in-law) and Baljinder Kaur (mother-in-law) were granted anticipatory bail. Challan was presented on 23.03.2021 who are facing trial and the case is pending for prosecution evidence. Regarding Harinder Singh it is pointed out that presently he is staying in Canada. Request was made vide communication dated 11.12.2020 addressed to ADGP, Internal Security, Punjab for initiating Look Out Circular against Harinder Singh. A notice under Section 105-B Cr.P.C. was issued by learned Judicial Magistrate 1st Class, Ludhiana for 01.11.2025. It is pointed out that Investigating Agency is taking all steps against accused Harinder Singh.

4. I have considered the status report filed by official respondents according to which accused who are present in India i.e. Bhupinderpal Singh (father-in-law) and Baljinder Kaur (mother-in-law) are already facing trial. Earlier Harinder Singh husband of the petitioner was in Germany and now at present he is in Canada. In order to procure his service, steps are being taken that is issuance of Look Out Circular and notice under Section 105B Cr.P.C. is also issued. Therefore, Investigating Agency is in action to procure presence of Harinder Singh who at present is settled in Canada. The trial Court/Investigating Agency can further proceed under the provisions of Section 84/85 of Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 82/83 Cr.P.C.). With this observation, petition is, accordingly, disposed of.

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

(AMARJOT BHATTI)
JUDGE

23.07.2025
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Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No