

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

CRM No. M-12163 of 2015 (O&M)

Date of Decision: 21.05.2015.

Krishna Devi & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Nakul Sharma, Advocate for the petitioners.

Mr. Nikhil K. Chopra, DAG, Punjab.

Mr. N.S. Sodhi, Advocate for the complainant.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking the concession of pre-arrest bail to the petitioners in case FIR No.46, dated 25.03.2015, under Sections 406/498-A IPC, registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

While issuing notice of motion on 17.04.2015, the following order was passed by this Court:

“The instant petition has been filed under Section 438 Cr.P.C. seeking the concession of pre arrest bail to the petitioners in case FIR No.46 dated 25.03.2015, under Sections 406/498-A IPC, registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib.

Counsel would submit that the complainant-Pardeep kaur is the daughter-in-law of the present petitioners and even as per FIR, there are no specific allegations levelled against the in-laws. That apart, it has been submitted that the

petitioners are living separately from the complainant and her husband, Balwinder Singh (son of the petitioners). A categorical submission has even been made by the counsel that the main accused, namely, Balwinder Singh son of the petitioners would duly surrender during the course of the day.

Notice of motion, returnable for 21.05.2015.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

It has gone uncontroverted that Balwinder Singh that is son of the petitioners and husband of the complainant, namely, Pardeep Kaur had duly surrendered and thereafter has been granted the benefit of regular bail.

Learned State counsel upon instructions from HC Jagjit Singh would apprise the Court that even the present petitioners have since joined investigation.

Under such circumstances, custodial interrogation of the petitioners would not be warranted.

Petition is allowed. Order dated 17.04.2015 passed by this Court is made absolute.

Disposed of.

21.05.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**