

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

CRM-M-10764-2017 (O&M)
Date of decision : 12.10.2017

Navneet Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. SPS Sidhu, Advocate,
for Mr. A.S. Sandhu, Advocate,
for the petitioners.

Ms. Anju Arora, Addl.A.G., Punjab,
assisted by ASI Jaswinder Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in case FIR No.233 dated 25.12.2016, registered under Section 304-B of the Indian Penal Code, at Police Station Sadar Khanna, Police District Khanna, District Ludhiana.

Learned counsel contends that the petitioner No.3 is maternal aunt of the accused, whereas, petitioner Nos.1 and 2 are her children. The deceased was suffering from cancer from last six months. They have joined the investigation in pursuance of the orders passed by this Court. The co-accused/husband of the deceased is already in custody.

On the other hand, learned State counsel, on instructions, informs that though the petitioners have joined the investigation, but the recovery of dowry articles and Rupees six lakh is yet to be effected.

Heard.

On 30.03.2017, the following order was passed:-

“Learned counsel for the petitioners has referred to the order Annexure P-4, and submits that while granting anticipatory bail to the co-accused it has been observed that deceased was suffering from cancer for last 6 months. The allegation in the FIR is that complainant was being harassed on account of bringing less dowry and it had also been stated that false information was given by the husband of the deceased that she was suffering from cancer. Petitioners No.1 and 2 are children of petitioner No.3 and even they were not present on the date when the deceased committed suicide. Petitioner No.3 is the maternal aunt of the accused.

Notice of motion for 26.05.2017.

To be heard alongwith CRM-M-1492 of 2017.

In the meantime, the petitioners are directed to join investigation and appear before the investigating officer. In the event of arrest, the petitioners be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, the petitioners shall join investigation as and when called upon to do so and shall remain bound by the following conditions enumerated under Section 438(2) Cr.P.C.

- 1. Petitioners shall make themselves available for interrogation by a police officer as and when required;*
- 2. Petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;*
- 3. Petitioners shall not leave India without the previous permission of the Court;*
- 4. Such other condition as may be imposed under subsection (3) of section 437, as if the bail were granted under that section.”*

Considering the facts that the death took place in the

parental home of the deceased, the co-accused/husband is already in custody, the petitioners are relatives of the main accused and they has joined the investigation in terms of the orders passed by this Court, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 30.03.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

12.10.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No