

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

CRM-M-16182-2016

Date of decision: 6.9.2017

Asha Rani and another

...Petitioners

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr.SS Goraya, Advocate for the petitioners

Mr.AS Gill, Sr.DAG, Punjab  
assisted by ASI Kuldeep Singh

Mr.Ish Puneet, Advocate for respondent No.2- complainant

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**JITENDRA CHAUHAN, J.**

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in First Information Report No.46 dated 19.4.2016, registered under Sections 498-A read with Section 34 of the Indian Penal Code, at Police Station City Gurdaspur, District Gurdaspur.

On 11.5.2016, the Coordinate Bench had passed the following order:-

“Learned counsel for the petitioners submits that the petitioners are old aged parents'-in-law of Menka and have falsely been implicated in the case. He further submits that the dispute, if any is there, that is

between the daughter of the complainant and her husband and the petitioners have no concern in any manner. Husband of daughter of the complainant is settled in Canada. As per allegations levelled in the FIR, the demand of car is there, whereas, the petitioners are already having car and no such demand was ever made by them. Petitioners are ready to settle the dispute with the daughter of the complainant and to abide by all terms and conditions to be imposed by this Court or by the Investigating Officer.

On oral request, complainant-Ram Lal son of Sh. Radhu Ram resident of Near Railway Phatak, Kahnuwan Road, Gurdaspur, is hereby, impleaded as respondent No.2.

Notice of motion for 09.09.2016.

Meanwhile, the petitioners are directed to join investigation and in the event of their arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer subject to their depositing an amount of ` 30,000/- by way of draft in favour of the complainant, which shall further be handed over to the complainant as litigation expenses. They shall join the investigation as and when required by the Arresting Officer. They shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under :-

(i)that the petitioners shall make themselves available for interrogation before arresting officer as and when required;

(ii)that the 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

him from disclosing such facts to the court or to any police officer;

(iii)that the petitioners shall not leave India without the prior permission of the Court.

Parties are directed to be present in the Court on the next date of hearing.”

It is contended that in pursuance of the order dated 11.5.2016, the petitioners have joined the investigation.

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted to the petitioners by this Court vide order dated 11.5.2016, is made absolute, subject to their furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

6.9.2017  
gsv

**(JITENDRA CHAUHAN)**  
**JUDGE**

**Whether speaking / reasoned?**

**Yes / No**

**Whether reportable?**

**Yes / No**