

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

CRM No. M-30484 of 2016.

Date of Decision: 01.09.2017.

Veena Rani

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. A.P.S. Tung, Advocate,
for the petitioner.

Mr. AS Gill, Sr. DAG Punjab.

Mr. Dheeraj Mahajan, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438 the Cr.P.C seeking anticipatory bail in case FIR No. 116 dated 01.08.2016 registered under Sections 498-A and 406 IPC at Police Station City Batala, Police District Batala (Gurdaspur).

On 31.08.2016 this Court had passed the following order:-

“Learned counsel for the petitioner has referred to the document (Annexures P-3) to show that Rs.7,00,000/- were withdrawn by the petitioner from her G.P.F. account and the same were deposited in the saving bank account. He has further referred to the transfer deed dated 11.04.2016 (Annexure P-5) to show that she has transferred a house measuring 200 Sq. yards in the name of her son. As per allegations in the FIR, Rs.7,00,000/- have been given by the family members of the complainant to her mother-in-law (petitioner),

which were deposited in her account after 14.03.2016. As per draft voucher (Annexure P-3), amount of GPF was released on 24.11.2015 and the complainant had left her matrimonial house in March 2016. Before this date, the house had been transferred vide Annexure P-5.

Notice of motion for 04.10.2016.

At this stage, Mr. Dheeraj Mahajan, Advocate, puts in appearance on behalf of the complainant and states that after giving the amount of Rs.7,00,000/- on 14.03.2016, she had left the matrimonial house. He further states that the matter can be referred to the Mediation and Conciliation Centre of this Court, as the complainant has a minor child, aged about 1½ years, who is staying in the custody of the complainant.

Learned counsel for the complainant will file a detailed reply showing as to how a sum of Rs.7,00,000/- was arranged by the complainant, which was given to her in-laws on 14.03.2016.

The petitioner will give Rs.25,000/- to the complainant as litigation expenses on or before the next date of hearing.

Meanwhile, the petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of her arrest, she shall be released on bail by the Investigating Officer on her furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438(2) Cr.P.C.:-

(i) that the petitioner shall make herself available for interrogation by a police officer as and when required;

(ii) that the petitioner 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;

(iii) that the petitioner shall not leave India without the previous

permission of the Court.

(iv) such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”

It is contended that in pursuance of the order dated 31.08.2016, the petitioner has joined the investigation.

Learned State counsel, on instructions, states that the petitioner has joined the investigation and she is not required for custodial interrogation.

In view of above, the order dated 31.08.2016 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioner to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

01.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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