

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

Crl. Misc. M-39620 of 2016 (O&M)
Date of Decision: November 14, 2017

Kashmir Kaur and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vivek Salathia, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG Punjab.

Mr. B.S. Jaswal, Advocate
for complainant/respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioners in the event of arrest in FIR No.76 dated 10.09.2016, under Sections 406, 498-A of the Indian Penal Code, registered at Police Station Kathu Nangal, District Amritsar.

Learned counsel for the petitioners contends that the petitioners are falsely implicated in the present case and on the direction of this Court, have joined the investigation. It is argued that the petitioners herein are father-in-law and mother-in-law of complainant-Mandeep Kaur, who has lodged an FIR on account of strained relationship between her and her husband. It is submitted that the son of the petitioners is a resident in Dubai. It is also contended that nothing is to be recovered from them.

Learned State counsel, on instructions from the Investigating Officer, submits that petitioners have joined the investigation and they are not required for the custodial interrogation.

In view of the facts that the petitioners are not required for custodial interrogation and have joined the investigation, without commenting on the merits of the case, the petition is being allowed and order dated 07.11.2016 granting interim bail to the petitioners is being made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

Before parting with this order confirming the anticipatory bail, this court directs the petitioners herein to pay a sum of Rs.2500/- per month as maintenance to the minor child. This order granting maintenance to the minor child is being passed, in lieu of an offer that had been made during the current proceedings that the petitioners being grand parents, would share some of the responsibility in the upbringing of their grand daughter. Let the said amount be paid/deposited in the bank account of the complainant on or before 7th of each month. Mr. B.S. Jaswal, Advocate appearing on behalf of the complainant is directed to furnish the bank details of the complainant to the counsel for the petitioners at the earliest.

The petition stands allowed with the aforesaid directions.

November 14, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No