

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

Crl. Misc. M – 6844 of 2017

Date of decision: 13.07.2017

Raj Rani @ Raj Kumari

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Himanshu Monga, Advocate, for
Mr. R.K. Arya, Advocate, for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 112, dated 22.09.2016, registered under Sections 304-B, 201 and 120-B at Police Station Dinanagar, District Gurdaspur.

On 28.03.2017, following order was passed:-

Learned counsel, inter alia, contends that the marriage of son of the petitioner and sister of the complainant was a love marriage and all the allegations with regard to demand of dowry are general in nature.

Learned State counsel, on instructions from investigating officer, has informed that in the present case the death took place of the deceased on 21.09.2016 and thereafter she was cremated on 22.09.2016 before her family reached to the matrimonial house. The husband and father-in-law of the deceased are in custody.

Adjourned to 16.05.2017.

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 conditions mentioned below, as envisaged in Section 438(2) Cr.P.C:-

- i. a condition that the person shall make herself available for interrogation by Police Officer as and when required;*
- ii. a condition that the person shall not, directly or indirectly make any inducement, threat or promise to any persons 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. a condition that the person 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 was granted under that section.*

It is contended that there are general and vague allegations levelled against the petitioner, in fact it was love marriage between the son of petitioner, namely, Sandeep Kumar and Gurpreet Kaur @ Goppi, in the year 2011. There was no allegation of demand of dowry during the interregnum period.

The learned State counsel, on instructions submits that in pursuance to the order dated 28.03.2017, the petitioner has joined investigation and not required for further custodial interrogation.

Considering the fact that the petitioner has joined investigation and allegations levelled against her are general and vague, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 28.03.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(JITENDRA CHAUHAN)
JUDGE

July 13, 2017
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Whether speaking/reasoned :	Yes /No
Whether Reportable :	Yes/No