

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

CRM-M-36270-2017

Date of decision: 13.09.2018

Meena RAni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vipul Joshi, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. Anil Kumar, Advocate, for
Mr. Ramesh Sharma, Advocate,
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail to the petitioner in case FIR No. 149 dated
23.08.2017 under Sections 406, 498-A IPC (Section 306 IPC added
lateron), registered at Police Station Mehatpur, Jalandhar Rural, District
Jalandhar.

This Court was pleased to pass the following order on
03.11.2017 :-

*“Learned counsel files the fresh power of attorney
on behalf of the petitioner, superseding the earlier
counsel and Mr. Ramesh Sharma, Advocate puts in
appearance on behalf of the complainant and files the
power of attorney, which are taken on record.*

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.149 dated 23.08.2017, under Sections 406, 498-A of Indian Penal Code (offence under Section 306 IPC added later on) registered at Police Station Mehatpur, Jalandhar Rural, District Jalandhar.

Counsel for the petitioner would contend that the petitioner herein is the mother-in-law of deceased Pinky Sharma. It is argued that a divorce petition had already been filed by her son Krishan Murari Joshi against deceased Pinky Sharma, who had already initiated proceedings in FIR No.149 dated 23.08.2017, under Sections 406, 498-A of Indian Penal Code. Unfortunately, on account of her death, offence under Section 306 of Indian Penal Code also came to be added. It is argued that a reading of the DDR would show that a statement has been suffered by the brother of the deceased that his sister had received papers pertaining to the divorce petition sent to her and on receipt of the same, she went into tension and that could have been the cause of her death. Counsel for the petitioner also contends that the deceased was not residing in her matrimonial home on the date, when she expired. It is submitted that she is ready to join the investigation.

Notice of motion for 20.03.2018.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on her doing so, the petitioner be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the

investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State, on instructions from ASI Baljit Singh, confirms the factum of joining investigation by the petitioner.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 03.11.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

13.09.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.