

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-24896-2018

Date of Decision:04.04.2019

Sangeeta

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Harsh Aggarwal, Advocate,
for the petitioner.

Ms. Mahima Yashpal, A.A.G., Haryana.

Mr. Rajeshwar Singh Thakur, Advocate,
for the complainant-respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.177 dated 21.04.2018 under Sections 323, 328, 498-A, 506, 34 IPC, registered at Police Station Rai, Sonapat, Haryana.

Pursuant to the order dated March 19, 2019 passed by this Court, SHO/SI Kuldeep Singh, Police Station City, Jhajjar, is present in the Court. Two affidavits have been filed. One affidavit has been filed by Sh. Kuldeep Singh, SI/SHO, Police Station City, Jhajjar, the then SHO, Police Station Rai, Sonipat and the other has been filed by Sh. Jitender Singh, HPS, DSP, Headquarter, Sonipat, which are taken on record.

Petitioner is mother-in-law of the complainant. The

complainant-respondent No.2 got married with Kapil Aggarwal @ Lucky, son of the petitioner, on 06.02.2018. The allegations against the petitioner as spell out in the FIR are that the petitioner used to keep on abusing the complainant and made her to do the household work. Despite doing the household work, their usual reaction was that she is not doing any work. The petitioner and the husband of complainant used to torture her mentally. The accused family had a maid in their house, but the petitioner used to get all the utensils and all cleaning work done from the complainant. Petitioner used to abuse the complainant, but still the complainant tolerated everything.

Learned State Counsel on instructions from SI/SHO Kuldeep Singh submits that the petitioner has joined the investigation and after completion of investigation, challan in the case has been presented on 30.10.2018. On the basis of affidavits so submitted, he has argued that marriage between the parties was solemnized on 06.02.2018. The husband who is otherwise a citizen of UK, left for UK on 18.02.2018 and after the marriage he stayed in India only for 12 days. Thereafter, the complainant has gone to her parents' house on 20.02.2018 and returned back to the matrimonial home on 13.03.2018. The alleged incident is of dated 20.04.2018, wherein there is a allegation that the petitioner along with sister-in-law and aunt-in-law have administered poison to the complainant. However, as per FSL report dated 03.01.2019, no common poison could be detected.

Heard learned counsel for the parties.

This Court finds that as the petitioner has joined the investigation and her custodial interrogation is no more required at this

stage, the present petition is allowed and the interim bail granted to the petitioner vide order dated 24.09.2018 is made absolute.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

At the same time, draft of Rs.5 lac given to the complainant would be subject to the outcome of the trial.

The argument of the learned counsel for the complainant-respondent No.2 that the husband has illegally been exonerated in the case, this Court finds that in case the complainant is not satisfied with the investigation, she has a remedy to invoke.

April 04, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No