

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

**CRM-M No.42529 of 2019 (O&M)
Date of Decision: 03.12.2019**

Rajvir Kaur and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Gursharan K. Mann, Advocate for the petitioners.

Mr. Harpreet Singh Multani, AAG, Punjab
for the respondent/State.

Mr. M.S.Virk, Advocate for the complainant.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioners in case bearing FIR No.0094 dated 06.09.2019, under Sections 306/34 of the Indian Penal Code, 1860, registered at Police Station Payal, District Ludhiana.

This Court, on the previous date of hearing i.e. 17.10.2019, passed the following order:-

“ Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short 'Cr.P.C') for grant of pre arrest bail to the petitioners in case FIR No. 94 dated 6.9.2019, under Section 306 read with section 34 of the Indian Penal Code, registered at Police Station Payal, District Ludhiana.

The deceased was the son of the complainant. Concededly the marriage of petitioner no.1 had taken place with the deceased on 24.1.2017 and since April 2017 both were residing separately. It is also the allegation of the prosecution that the deceased committed suicide at his home. There is neither any suicide note nor any other material to fasten the

liability upon the petitioners.

Learned State counsel wishes to verify the above factual position.

On his request, adjourned to 03.12.2019.

In the meanwhile, the petitioners are directed to join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973. ”

Contentends that in terms of above order, both the petitioners have joined the investigation.

Learned State Counsel, on instructions from A.S.I. Mukhtiar Singh, has acknowledged that in terms of order dated 17.10.2019, petitioners have joined the investigation and their custodial interrogation is not required.

In view of above, interim order dated 17.10.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

December 03, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>