

S.No.105

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

CRM-M-18526 of 2020 (O&M)

Date of Decision:14.07.2020

Seeta and another

.....Petitioners

Vs.

State of Haryana

.....Respondent

=====

IN VIRTUAL COURT

=====

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Krishan Saini, Advocate for the petitioners.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioners under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.428 dated 02.08.2019 registered under Section 304-B IPC at Police Station Palla, Faridabad, District Faridabad.

It is contended by counsel for the petitioners that the case against the petitioners is totally concocted. Petitioner No.1 is the sister-in-law of the deceased. She is a married woman and having two children. She has been residing separately. She has no concern with the matrimonial life of her brother. Petitioner No.2 is also an old lady. She has never indulged in any harassment qua the deceased on account of dowry. It is also submitted that the husband of the deceased has already been released on bail by the Court below. Both the petitioners were also granted concession of interim protection against their arrest by the Additional Sessions Judge. Pursuant to that, both the petitioners have joined the investigation. However, subsequently, their anticipatory bail was dismissed only on the ground that the warrants of arrest had been issued against them before they

approached the Court for anticipatory bail. Accordingly, it is submitted by the counsel that once they have already joined the investigation, nothing is required to be recovered from them now. In any case, the petitioners would again join the investigation.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State.

Learned State Counsel, on instructions from Sub Inspector Jaipal, submits that there are specific allegations against the petitioners. However, it is not disputed that the husband of the deceased has already been granted bail by the Court below. It is also not disputed that even the petitioners were granted interim protection by the Court of Additional Sessions Judge though the application for anticipatory bail was ultimately dismissed.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail. Therefore, it is directed that in case of their arrest, the petitioners shall be released on bail subject to their furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioners shall 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.

July 14, 2020
renu

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No