

204 IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-27172-2020(O&M)

Date of decision: 16.10.2020

Bhupinder Kaur and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Harish Sharma, Advocate for the petitioners

Mr. Rana Harjas Deep Singh, DAG, Punjab

Mr. Bhupinder Ghai , Advocate for the complainant

ANIL KSHETARPAL, J. (ORAL)

On 25.9.2020, the following order was passed by this

Court:-

“The petitioners prays for grant of pre-arrest bail in a criminal case arising from FIR No.108 dated 21.8.2020 registered under Section 306, 120-B IPC at Police Station, City Jagraon, District Ludhiana.

As per the allegations in the FIR, which has been lodged by Harpreet Kaur, mother of the deceased, that her daughter has committed suicide after three years of marriage. It is alleged in the FIR that petitioner no.1 (mother-in-law of the deceased) used to harass the deceased. It is claimed that the petitioner no.1 was doubting that there something wrong in the character of the deceased and she had also called her daughter (petitioner no.2) to stay in order to keep an eye on the deceased.

Learned counsel for the petitioners contend that from the bare reading of the FIR, ingredients of the offence under Section 306 IPC are not made out. He relies upon Section 107 IPC defining abetment.

Notice of motion.

On the request of the Court, Ms. Samina Dhir, DAG, Punjab accepts notice on behalf of the State of Punjab and prays for time to seek instructions.

Mr. Bhupinder Ghai, Advocate has put in appearance on behalf of the first informant.

Adjourned to 16.10.2020.

Keeping in view the aforesaid facts, it is considered appropriate that let the petitioners join investigation.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, 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.”

Learned State counsel on instructions from SI Vinod Kumar has submitted that the petitioners have joined investigation, cooperated and are not required for further custodial interrogation.

In view of the above, the order dated 25.9.2020 is hereby made absolute.

The petition stands allowed.

16.10.2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No