

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-29023-2020 (O & M)
Date of Decision: November 23, 2020**

BABITA NAYYAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Karanjit Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Rahul Sharma, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 34 dated 18.08.2020, under Sections 328, 406 and 498-A of the Indian Penal Code, 1860, registered at Police Station Women Ludhiana, District Ludhiana.

Learned counsel for the petitioner contends that it is alleged in the FIR that the petitioner, who is the mother-in-law of respondent No. 2 (complainant), along with others had forcibly tried to administer poison to respondent No. 2 (complainant). He also contends that the FIR has been lodged after a delay of 2½ months. The petitioner is a 52 year old lady. He also contends that respondent No. 2 (complainant) has fully recovered and the FIR is the outcome of a matrimonial dispute.

This Court, by the order dated 23.09.2020, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of her arrest, she was ordered to be released on ad-interim bail

to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Vipin Kumar, states that the petitioner has joined investigation.

Learned counsel for the complainant states that in view of the seriousness of the allegations, the petitioner is not entitled to the concession of anticipatory bail.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 23.09.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 23, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No