

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM-M-21939-2021

Date of decision:- 06.10.2021

Seena

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vinod Bhardwaj, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. R. Kartikeya, Advocate for the complainant.

...

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

While granting interim protection to the petitioner, this Court
passed the following order on 02.06.2021:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 389 dated 01.10.2020 under Sections 306 and 34 of the Indian Penal Code, 1860, registered at Police Station City Kaithal, District Kaithal (Annexure P-1).

Counsel for the petitioner submits that the petitioner is a 27 years old widow, whose husband committed suicide, and she has been named as an accused in the FIR (Annexure P-1). Counsel contends that the marriage between the petitioner and her deceased husband took place on 10.03.2019 and in January 2020, she left the matrimonial home as the relations between two were strained because of harassment and repeated demands of dowry. A compromise was effected between the parties in September 2020 and on 01.10.2020, her husband unfortunately committed suicide. He submits that the petitioner was granted interim bail on 21.05.2021,

Annexure P-3 by the Sessions Court, but she could not join the investigation as she was down with fever.

Notice of motion.

On asking of the Court, Mr. Manish Dadwal, AAG, Haryana, who is assisted by Mr. R.Kartikeya, Advocate, counsel for the complainant accept notice.

List on 06.10.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, she shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Reply by way of an affidavit of Deputy Superintendent of Police, Kaithal has been filed on behalf of respondent-State. On basis of the reply, State counsel submits that the petitioner has joined the investigation. Upon instructions, from SI, Shamsher Singh, he further submits that the petitioner is no longer required for custodial interrogation and is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 02.06.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

06.10.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No