

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

**CRM-M-24888 of 2020
Date of Decision:-15.02.2021**

Sangeeta Lahar @ Simran @ Rano

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Berjeshwar Singh Jaswal, Advocate
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., Punjab.

Ms. Swati Verma, Advocate as Legal Aid Counsel
for the complainant.

(Proceedings through Video Conferencing)

GURVINDER SINGH GILL J.(Oral)

The petitioner seeks anticipatory bail in a case registered vide FIR No.183 dated 02.08.2019, under Sections 406 and 120-B IPC, registered at Police Station City Phagwara, District Kapurthala, which was lodged at the instance of Ashu Sharma, wherein she alleged that her marriage with Vijay Kumar was solemnized on 08.02.2012 but shortly after marriage her husband and his sisters illtreated her. It is alleged that the accused had taken away jewellery as well as other household articles from the house.

At the time of issuance of notice of motion, the following order was passed :-

“Learned counsel for the petitioner contends that genesis of the FIR in question essentially pertains to the matrimonial discord between petitioner’s brother and his estranged wife/complainant. He further submits that allegations against the petitioner are that she has indulged in theft/misappropriation of Istari Dhan of the complainant.

Learned counsel further contends that petitioner is ready and willing to join the investigation and render full cooperation in recovery of Istari Dhan of the complainant which, learned counsel contends, is not with the petitioner, but was lying, if at all, at matrimonial home of the complainant at Phagwara, while the petitioner stays at her matrimonial home at Moga.

Notice of motion.

Mr. Luvinder Sofat, AAG, Punjab, who has joined proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State of Punjab and seeks time to file better report.

Adjourned to 11.11.2020.

In the meantime, petitioner is directed to join the investigation within one week from today. In the event her arrest is to be caused, she shall be admitted to interim bail on her furnishing bail bonds/surety bonds to the satisfaction of Investigating/Arresting Officer, subject to the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel on instructions from ASI Sukhdev Singh has informed that the petitioner has since joined the investigation and is not

required for custodial interrogation.

Learned counsel for the complainant, however, opposed the application by submitting that the recovery of jewellery as well as other household articles is yet to be effected.

I have heard learned counsel for the petitioner as well as counsel for the State and counsel for the complainant.

Apparently, it is a case arising out of matrimonial dispute. Since the petitioner has already joined investigation and is not required for custodial interrogation. The petition as such is accepted and the interim directions issued by this Court vide order dated 28.08.2020 are made absolute subject to condition that petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

The petition stands accepted accordingly.

February 15, 2021
Vijay Asija

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No