

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRM No. M-35135 of 2021

Date of Decision : 15.11.2021

Rubina

....Petitioner

Versus

State of Punjab

....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Amandeep Kaur Gill, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 0031 dated 14.07.2021 registered under Sections 306 & 34 IPC at Police Station GRP Sangrur, Government Railway Police, Sangrur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 27.08.2021. Order dated 27.08.2021 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.0031 dated 14.07.2021 registered under Sections 306 & 34 IPC at Police Station GRP Sangrur, Government Railway Police, Sangrur.

Learned counsel for the petitioner argues that the petitioner has wrongly been roped in the present FIR despite the fact that no suicide note has been recovered after the death of the deceased, who was the husband of the petitioner to substantiate allegations so as to infer that the ingredients of Section 306 IPC are made out against the petitioner. Learned

counsel for the petitioner submits that the co-accused i.e. mother of the petitioner namely, Mumtaz Begum has already been granted the benefit of interim bail by this Court vide order dated 20.08.2021 passed in CRM-M-31315 of 2021 and the petitioner has nothing to hide and she is also ready to join and cooperate in the investigation.

Notice of motion for 15.11.2021.

Mr. Sandeep Kumar DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel on instructions from S.I. Jagjit Singh concedes that the co-accused of the petitioner namely, Mumtaz Begum has already been granted the benefit of interim bail by this Court while passing order dated 20.08.2021 in CRM-M-31315 of 2021.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances of the present case, especially, when no suicide note, alleging harassment at the hands of the petitioner to the deceased, has been recovered and the co-accused of the petitioner namely, Mumtaz Begum has already been granted the benefit of interim bail by this Court while passing order dated 20.08.2021 in CRM-M-31314 of 2021 and learned counsel for the petitioner undertakes before this Court that the petitioner will join and cooperate in the investigation, the petitioner has made out a case for the grant of anticipatory bail.

The petitioner is directed to join the investigation forthwith. In the event of her arrest, she shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on her furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

- (i) *That she shall make himself available for interrogation by the police officer as and when required.*
- (ii) *That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing the said facts to the Court or to any police officer.*
- (iii) *That she shall not leave India without prior permission of the Court.*
- (iv) *That she shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.”*

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Jagwinder Singh states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

In view of the above, the order dated 27.08.2021 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.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 15, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*