

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.218

CRM-M-44315-2021

Date of decision: 09.12.2021

Bhagwati @ Bhawna

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kunal dawar, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Mr. Abhimanyu Singh, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.187 dated 03.09.2021 registered under Sections 306/34 IPC at Police Station Jui Kalan, District Bhiwani, Haryana.

On October, 22, 2021, this Court had passed the following order:-

“Petitioner is alleged to have harassed the father of the complainant Lajpat, who ultimately committed suicide by leaving behind a suicide note, which note is disputed by the petitioner asserting that it has been planted and she has been falsely implicated in the case. Counsel further contends that husband of the petitioner is already in custody and she has to look after two children. No recovery is to be effected from the petitioner and she is ready and willing to join the investigation and cooperate with the same.

Notice of motion.

On the asking of the Court, Mr. Apoorv Garg, DAG, Haryana, accepts notice on behalf of the State of Haryana. Mr.

Abhimanyu Singh, Advocate, accepts notice on behalf of the complainant.

Counsel for the State as well as counsel for the complainant oppose the prayer of the petitioner by asserting that she is the main culprit and had been the instigator causing threats and teasing them because of which suicide was committed by the father of the complainant. The suicide note also specifically mentions the said fact and therefore, the prayer of the petitioner be not accepted.

Having considered the submissions made by the learned counsel for the parties and keeping in view the fact that no recovery is to be effected from the petitioner and she has two small children to take care of with her husband already in custody, let the petitioner join investigation and appear before the Investigating Officer on 26.10.2021 at 11:00 AM at Police Station Jui Kalan, District Bhiwani. On her doing so, petitioner be released on anticipatory bail subject to her furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, petitioner shall continue to 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.

List for consideration on 09.12.2021.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that her custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 22.10.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

December 09, 2021
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No