

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

Criminal Misc.-M No.40761 of 2020
Date of Decision: February 18, 2021

Simarjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.B.S.Sidhu, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Vivek Singla, Advocate,
for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.87 dated 10.11.2020, under Sections 420, 406, 506 and 120-B IPC, 1860, registered at Police Station, Bajakhana, District Faridkot. The petitioner apprehended her arrest at the hands of police.

Learned senior counsel for the petitioner has invited the attention of the Court to the order dated 07.12.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that as per the complainant, he married the daughter of the petitioner in order to settle abroad, but after marriage his wife went to Canada for higher studies and the complainant could not join her company for lack of completion of the formalities. He submits that the

husband is raising a matrimonial dispute and therefore, the custodial interrogation of the petitioner (mother in-law of the complainant) may not be necessary.

Notice of motion for 18.02.2021.

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

At this stage, Mr.Vivek Singla, Advocate appears on behalf of the complainant.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Jaskaran Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 07.12.2020 is made absolute.

February 18 , 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No