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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-39031-2019
Date of decision-05.07.2021

KRISHNA DEVI AND OTHERS **...Petitioners**

Vs.

STATE OF HARYANA **...Respondent**

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manish Soni, Advocate
for the petitioners.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

Mr. Sarfraj Hussain, Advocate
for the complainant.

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MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.148 dated 19.05.2019 under Sections 306 & 34 of Indian Penal Code, 1860 registered at Police Station Farrukh Nagar, District Gurugram. The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 13.09.2019, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

> *"Learned counsel for the petitioners contends that the victim Shayam (son-in-law of petitioner No.1) allegedly committed suicide on 18.05.2019 and in a complaint given by Rohtash (father of deceased), present FIR was registered. Learned counsel contends that the elder brother of the deceased-*

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> *Summat was also married to another daughter of petitioner No.1 and their matrimonial relations are continuing smoothly. He submits that the version regarding demand of dowry etc are fabricated as infact the victim (Shyam) was a drug addict and had chosen to end his life on his own. His addiction was the cause of matrimonial dispute between the husband and the wife (Renu). It is pointed out that the allegations regarding demand of dowry were never made in respect of the marriage of the elder brother.*
>
> *Notice of motion for 30.01.2020.*
>
> *Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C."*

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners 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 ASI Suresh does not dispute this fact that the petitioners have joined the investigation and they are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

05.07.2021

Vipin kumar

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No

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