

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-43977-2019 (O&M)

Date of Decision:- 28.7.2021

Anjana Rani alias Anju Bala

.... Petitioner

Versus

Malook Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Neeraj Madaan, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner who has been arrayed as accused in a complaint case i.e. complaint No.62, dated 18.7.2016, Police Station Sadar Jalalabad, under Sections 302, 120-B IPC, seeks grant of anticipatory bail on account of the petitioner having been summoned by the trial Court.
2. At the time of issuance of notice of motion on 17.10.2019 the following order was passed:

“The petitioner is seeking anticipatory bail in
complaint case No.62/2016 dated 18.07.2016, under

Sections 302, 120-B IPC, registered at Police Station Sadar Jalalabad.

Learned counsel for the petitioner contends that the body of the husband of the petitioner was recovered from a canal along with motorcycle on 20.08.2013. The cause of death in the postmortem report has been mentioned as accident. Proceedings under Section 174 Cr.P.C. were also carried out. The relations of the petitioner with her in-laws soured after the death of her husband although she continued to reside in her matrimonial home. A complaint was filed by her sister-in-law on 30.09.2014 against the petitioner and her relatives under Sections 452, 323, 504, 506, 148, 149, 120-B IPC, alleging that there was an altercation between the relatives of the petitioner and her in-laws. She was acquitted in that case by the order of the trial Court dated 07.08.2018. The instant complaint has been filed three years after the death of her husband and is on account of differences between the petitioner and her in-laws after the death of her husband. There is no prima facie evidence which would connect the petitioner with the commission of offence especially when the death was accidental and not homicidal.

Issue notice to the respondents returnable on 22.11.2019.

In the meantime, the petitioner shall appear before the trial Court and on her doing so, she shall be released on ad interim bail on her furnishing requisite bonds to the satisfaction of the Trial Court/Duty Magistrate.”

3. The learned State counsel has informed that pursuant to interim directions issued by this Court, the petitioner has since appeared before the trial Court and has furnished the bail bonds.
4. Keeping in view the facts and circumstances of the case and while also noticing that it is a case arising out of a private complaint, custodial interrogation of the petitioner is certainly not required in any manner. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 17.10.2019 are hereby made absolute subject to the condition that the petitioner shall abide by the conditions as provided under Section 438 Cr.P.C.

28.7.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No