

CRM-M-10134-2021

Date of decision: 12.05.2022

LAKSHMI DEVI @ LAXMI

...PETITIONER

VERSUS

STATE OF UT CHANDIGARH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. J.S.Dadwal, Advocate
for the petitioner.

Ms. Vasundhara Dalal Anand, APP for UT, Chandigarh.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.174 dated 21.12.2019, registered under Sections 498-A/406 IPC, 1860 at Women Police Station, Sector-17, U.T., Chandigarh.

On 23.02.2022, the following order was passed:-

“As per the report of the Mediator, the mediation has been unsuccessful. In terms of the order dated 04.03.2021, the arrest of the petitioner was stayed. Learned counsel for the petitioner contends that the petitioner is the mother-in-law of the complainant and she had joined the investigation in pursuance of the interim bail granted to her during the pendency of the bail in the Court below. However, the bail application was dismissed on the score that petitioner had not provided the passport details of the husband of the complainant and was not cooperating in the investigation. Learned counsel for the petitioner further contends that husband of the complainant had surrendered, his arrest was effected and has been released on regular bail. Keeping in view the fact that arrest of the petitioner was stayed, learned State counsel has contended that the petitioner may be asked to join

the investigation.

Adjourned to 12.05.2022.

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.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. Furthermore, the matter has been amicably settled and the son of the petitioner along with the complainant are now happily residing in the matrimonial house.

On instructions from Inspector Balbir Singh, learned State counsel has submitted that the petitioner has joined the investigation and her custodial interrogation is not required.

It has been stated that she is having no instructions with regard to any amicable settlement that may have been effected between the parties.

In view of the aforesaid submissions, the order dated 23.02.2022, 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.

The petition is allowed.

12.05.2022
renubala

(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No