

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

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CRM-M-9469-2022

Date of Decision: 02.05.2022

Harpreet Kaur

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. A.S. Rai, Advocate for the complainant.

Vivek Puri, J.(Oral)

Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No.27 dated 16.02.2022 under Sections 304-B, 120-B IPC, registered at Police Station Sadar Ludhiana, District Police Commissionerate, Ludhiana.

On 01.04.2022, following order was passed:-

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners in case FIR No. 27 dated 16.02.2022, registered under Sections 304-B/120-B IPC, 1860 at Police Station Sadar Ludhiana, District Police Commissionerate Ludhiana.

Briefly, the FIR has been registered on the basis of the statement of Sarabjit Singh, the father of the victim alleging that the marriage of the deceased was solemnized with Hardeep Singh about three years ago and a son was born from the wedlock. Sufficient dowry articles were given at the time of marriage. However, soon after the marriage, the family members of her in-laws i.e. Daljit Singh (father-in-law), Sarabjit Kaur (mother-in-law), the petitioner who is sister-in-

law, Mandeep Singh (brother-in-law) and Hardeep Singh, the husband started humiliating and maltreating her for dowry. Her husband Hardeep Singh used to give beatings to the deceased at the instance of other family members. She had narrated the incident to her father on many occasions. On 15.12.2022, at about 08:30 AM, the complainant received a telephonic message from Hardeep Singh who asked him to reach Prolife hospital and he found that his daughter had expired with mark on her neck.

Learned counsel for the petitioner contends that the petitioner is sister-in-law (Jethani) and also a daughter-in-law of the family. The allegations are general, vague and not specific. There is no specific allegation with regard to any demand attributed to the petitioner or act of harassment levelled against her. The petitioner is having a 04 months old child and is residing on a separate floor, though the family is having a common kitchen.

On the contrary, the learned State counsel as well as counsel appearing on behalf of the complainant have stated that the death has occurred within a period of three years from the date of marriage and cause of death is asphyxia due to hanging which was anti-mortem and sufficient to cause death in the ordinary course of nature. There are allegations with regard to demand of dowry and harassment meeting out to the deceased on that score.

Adjourned to 02.05.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other 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

On instructions from ASI Hardev Singh, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 01.04.2022, 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

(VIVEK PURI)
JUDGE

02.05.2022

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No