

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-21913-2022
Date of decision : 19.07.2022

Surita Devi @ Sarita Devi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Naresh Gopal Sharma, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

Mr. Avtar Singh Khinda, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.17 dated 14.03.2022 registered under Sections 363, 364, 365 IPC at Police Station Fatta DHINGA, District Kapurthala.

On 20.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the petitioner is daughter-in-law of the complainant and had given complaint on 27.02.2022 with respect to her husband missing and it is submitted that earlier also, the husband of the petitioner was residing in Dubai and present FIR has been got registered by her father-in-law only to harass her. It is contended that the detailed representation dated 07.04.2022 (Annexure P-2) has been given by

the brother of the petitioner to the SSP Kapurthala giving the details as to how the petitioner is sought to be falsely implicated. It is further contended that the petitioner has two minor children and she is not involved in any other case.

Notice of motion for 31.05.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

20.05.2022”

On 31.05.2022, this Court has passed the following order:-

“Learned State counsel has submitted that the petitioner has joined the investigation, but she is not fully cooperating with the investigating agency.

Adjourned to 19.07.2022.

The petitioner is again directed to join the investigation on 07.06.2022 at 11.00 AM.

Interim order to continue till the next date of hearing.

May 31, 2022”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Dalwinder Singh, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances

and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 20.05.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

July 19, 2022
Davinder Kumar

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