

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26333-2022 (O&M)

Date of Decision: 01.12.2022

KULWANT KAUR

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ashok Giri, Advocate for the petitioner.
Ms. Ruchika Sabherwal, AAG Punjab.
Mr. Satbir Rathore, Advocate for the complainant.

* * * *

VIVEK PURI, J. (ORAL)

On 12.07.2022 following order was passed:

“Petitioner is seeking anticipatory bail in case bearing FIR No. 80 dated 19.05.2022 under Sections 498-A/406 IPC, registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is the mother-in-law of the complainant. The father-in-law and husband of the complainant have been granted pre-arrest bail. Furthermore, the petitioner has handed over a draft of Rs. 25,000/- in the name of the complainant to the learned counsel for the complainant today in the Court.

It has been further stated that possibility of amicable settlement through the process of mediation may be explored in the instant case.

Learned counsel for the complainant contends that he is not averse to the mediation process but states that the amount which has been paid today is on lesser side.

The parties are directed to appear before the Mediation and Conciliation Center of this Court on 17.08.2022.

It is further directed that the petitioner shall pay another sum of Rs. 25,000/- to the complainant on the first date of her appearance before the Mediation and Conciliation Center of this Court.

For awaiting the report of the Mediator, adjourned to 17.11.2022.

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.”

As per the report, the mediation remained unsuccessful.

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court and furthermore, she is not in possession of any articles of *istridhan*.

Learned State counsel, on instructions from ASI Paramjit Singh, has submitted that the petitioner has joined the investigation and her custodial interrogation is not required.

Learned counsel for the complainant has opposed the bail application on the score that some jewellery and other articles of *istridhan* are yet to be recovered.

The controversy as to whether the petitioner has misappropriated the articles of Istridhan will be a debatable and moot point during the course of trial. The petitioner has joined the investigation in pursuance of the interim directions issued by this Court and her custodial interrogation is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 12.07.2022 is made absolute.

01.12.2022

Janki

(VIVEK PURI)
JUDGE

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