

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

CRM-M-30232-2021

Date of Decision: 25.02.2022

PRIYA

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Yogeshwar Dayal Kaushik, Advocate, for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

On 02.08.2021, following order was passed:-

“Learned counsel for the petitioner herein would inter alia contend that the allegations as set out in the FIR are that the petitioner herein had advised her to get an abortion done. It is argued that the complainant being an adult was well aware of the consequences of getting into a physical relationship and the petitioner being the sister-in-law, cannot be held liable in case any marriage was not solemnized between the complainant and the brother-in-law.

Notice of motion.

Ms. Deepshikha Chauhan, A.A.G., Haryana appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Adjourned to 10.01.2022.

Meanwhile, petitioner is directed to join the investigation within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends the petitioner is sister-in-law of Abhishek (co-accused) and in pursuance of interim directions, she has joined the investigation.

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

Keeping in view the fact that the petitioner is sister-in-law of Abhishek (co-accused), she has joined the investigation in pursuance of interim directions issued by this Court and her custodial interrogation is not required, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 02.08.2021, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

25.02.2022

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(VIVEK PURI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No