

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CRM-M-28094-2022

Date of decision : 15.09.2022

Tara Devi

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.A.S.Manaise, Advocate, for the petitioner.

Mr.Navneet Singh, Sr.DAG, Punjab.

Mr.Anshul Saini, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.47 dated 05.06.2022 registered under Sections 498-A, 406, 506 and 120-B IPC at Police Station Taragarh, District Pathankot.

On 05.07.2022 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of a matrimonial discord between the complainant and the petitioner's son; in the proceedings before the police before lodging of the FIR the complainant had not made any allegations of beating against the petitioner and had made only general allegations against her; the allegation of beatings are insignificant as the FIR in question is not under Section 323 IPC; the allegations with regard to demand of dowry are also false and vague; the photographs appended with the petition clearly show cordial relations between the petitioner and the complainant at least on 05.12.2021 and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms.Gunkirat Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 15.09.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of her arrest in FIR No.47, dated 05.06.2022, registered under Sections 498-A, 406, 506, 120B IPC at Police Station Taragarh, District Pathankot, she shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that her custodial interrogation is not required by the State.

After considering the above submissions made on behalf of the petitioner as recorded in the afore quoted order and the afore-referred statement made by learned State counsel, the order of this Court dated 05.07.2022 granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

15.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned
Whether reportable

:

Yes / No
Yes / No