

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222 CRM-M-32253 of 2021
Date of decision:10.02.2022

Balwinder Kaur and another ... Petitioners

Vs.

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ajay Pal Singh Rehan, Advocate
for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

None for the private respondents.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 438 Cr.P.C seeking grant of anticipatory bail to the petitioners in case FIR No.22 dated 13.03.2021 registered under Sections 306, 34 of Indian Penal Code, 1860 at Police Station Chabbewal, District Hoshiarpur.

FIR came to be registered on basis of statement of Harcharan Singh on the allegation that his sister was married to Deepak Kumar son of the petitioners and she committed suicide as she was being harassed and ill-treated by her husband and his family.

Counsel for the petitioners has contended that deceased was under mental pressure as she could not bear a child despite the fact that she was married for three years. He submits that FIR was registered against the

petitioners on basis of suspicion and deceased did not leave behind any suicide note. Still further, it is his argument that dispute between the parties has been settled by virtue of compromise (Annexure P-1). He submits that petitioners have joined the investigation pursuant to order passed by this Court.

Upon instructions from ASI Manna Singh, State counsel has affirmed the joining of the petitioners and submits that the petitioners are no longer required for custodial interrogation and are also not involved in any criminal case.

Heard counsel for the parties.

While granting interim protection to the petitioners, this Court passed the following order on 24.08.2021 in the main case:-

“The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioners in FIR No. 22 dated 13.03.2021 under Sections 306 and 34 of IPC registered at Police Station Chabbewal, District Hoshiarpur.

Notice of motion.

Mr. A.S.Gill, Senior DAG, Punjab, appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State and seeks some time to file reply.

At this stage learned counsel appearing on behalf of the private respondents put in appearance and does not oppose the grant of bail of the petitioners on the ground that the matter stands settled between the parties and states that the case has

been registered due to misunderstanding between them.

The petitioners are directed to join the investigation within a period of one week and on their doing so, in the event of arrest they be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall continue to 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.

Adjourned to 10.02.2022.”

The petitioners, who are in-laws of the deceased have joined the investigation and are no longer required for the custodial interrogation. Counsel representing the private respondents has made a statement before this Court that he has no objection for grant of bail to the petitioners.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 24.08.2021 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

February 10, 2022
savita

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes