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

CRM-M-33024-2021

Date of decision : 14.03.2022

Simran

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Atul Goyal, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Akhilesh Vyas, Advocate for the complainant.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.92 dated 29.07.2021 registered under Sections 306 and 34 of the Indian Penal Code, 1860 at Police Station Bhargo Camp, District Jalandhar.

On 16.08.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.92 dated 29.07.2021, registered for offences under Sections 306 and 34 of the

Indian Penal Code, 1860, at Police Station Bhargo Camp, District Police Commissionerate Jalandhar (Annexure P-1).

Counsel for the petitioner has contended that the petitioner, who is a 29 years old widow, has two minor children, aged 6 years and 9 months, to take care of. He submits that the relations between the petitioner and her deceased-husband were estranged and her husband used to repeatedly physically assault her. In particular, he has made a reference to an incident, which took place on 23.07.2021, five days before his suicide. It is his argument that the suicide note, which has been allegedly written after the physical harassment of the petitioner on 23.07.2021, is doubtful and its veracity is yet to be ascertained.

Notice of motion.

On asking of the Court, Mr. Harbir Singh Sandhu, AAG, Punjab accepts notice on behalf of respondent-State.

List on 01.11.2021.

Let status report be filed by State before the next date of hearing.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, she shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

Sd/-(SUVIR SEHGAL)

JUDGE

16.08.2021 ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 16.08.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from SI Sandeep

Kaur, has submitted that the petitioner has joined the investigation on 06.09.2021 and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 16.08.2021 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 16.08.2021 is ordered to be made absolute.

However, 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 application.

14.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No