

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-34324 of 2021
Date of decision:29.04.2022

Jasbir Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Kulwinder Singh, Advocate for
Mr. Rajbir Singh, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

None for the complainant.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 Cr.P.C seeking grant of anticipatory bail to the petitioner in case FIR No.167 dated 09.08.2021 registered under Sections 498-A, 323, 34 of Indian Penal Code, 1860 at Police Station Sirhind, District Fatehgarh Sahib (Annexure P-1).

While granting interim protection to the petitioner, this Court passed the following order on 23.08.2021:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner, who is the mother-in-law of the complainant while inter-alia arguing that love marriage was solemnized on 06.04.2020 between the complainant and

her son during the period of nationwide lock-down. It is argued that there is no allegation of demand of dowry or an offence under Section 406 IPC. Rather the allegations are on account of using abusive language by the son of the petitioner and subjecting her to beatings on instigation by the petitioner herein. It is further submitted that there is no evidence available on the record that would reflect that the complainant called her parents. In fact she left the matrimonial home by driving the Aactiva scooter herself. It is contended that no recovery is to be effected from her and she is ready and willing to join the investigation.

Notice of motion for 07.02.2022.

Mr. A. S. Gill, Sr. DAG, Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State.

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.”

Report has been received from the Mediation Centre that dispute between the parties has been settled by virtue of

settlement/compromise dated 15.03.2022.

Counsel for the petitioner submits that in pursuance thereof, petition seeking divorce by mutual consent has been filed and first motion has been recorded. Still further, he submits that pursuant to order passed by this Court, the petitioner has joined investigation.

Upon instructions from ASI Amrik Singh, State counsel affirms the fact that petitioner has joined investigation. Still further, he submits that recovery has been effected from the petitioner and she is not required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 23.08.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

April 29, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes