

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

CRM-M-38697-2021

Date of Decision: 25.02.2022

KAMLESH RANI

... PETITIONER

VS.

STATE OF HARYANA AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Iqbal Singh Saggu, Advocate, for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Amit Choudhary, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

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

On 17.09.2021, the following order was passed:-

“This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.64, dated 29.08.2021, registered under Sections 406, 498-A, 506, 34 of IPC at Police Station Women, Fatehabad, District Fatehabad.

Learned counsel for the petitioner herein would contend that the marriage of the son of the petitioner with the complainant was solemnized almost 9 years ago. A divorce petition was filed in 2017 by the husband of the complainant. Petitioner has nothing to do between the affairs of husband and wife and she has been falsely implicated in the case.

Notice of motion for 25.02.2022.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on her doing so, the petitioner be released on interim bail subject to her furnishing personal/surety bonds 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 as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that the petitioner is the mother-in-law of the complainant and in pursuance of interim directions issued by this Court, she has joined the investigation

Learned State counsel has not assailed the aforesaid factual aspect(s) of the matter and has stated that the petitioner has joined the investigation and her custodial interrogation is not required.

However, learned counsel for respondent No.2/complainant states that recovery is yet to be effected.

It may be mentioned here that the petitioner is the mother-in-law of the complainant, she has joined the investigation in pursuance of interim directions issued by this Court and there is a categorical stand of the learned State counsel that her custodial interrogation is not required.

Keeping in view the above, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 17.09.2021, vide which the petitioner has been granted interim bail, is made absolute.

Petitions is allowed.

25.02.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No