

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-39855-2021 (O&M)**

Santosh Rani Malhotra & another ...Petitioners

Versus

State of Punjab ...Respondent

(II) CRM-M-41426-2021 (O&M)

Reetika ...Petitioner

Versus

State of Punjab ...Respondent

Date of Decision: 17.02.2022**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. Ashish Soi, Advocate, for the petitioner/s.

Mr. M.S.Dullat, Addl. AG, Punjab,
assisted by ASI Resham Singh.

Mr. Atul Goyal, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the aforesaid two petitions filed on behalf of Santosh Rani Malhotra & another as well as by Reetika respectively, seeking grant of anticipatory bail in respect of a case vide FIR No.162 dated 23.08.2021, Police Station Jodhewal, Ludhiana, under Sections 306/34 IPC.
2. At the time of issuance of notice of motion in CRM-M-39855-2021, the following order was passed on 24.09.2021:

“The petitioners have approached this Court seeking grant of anticipatory bail in a case registered vide FIR No.162,

dated 23.8.2021, Police Station Jodhewal, Ludhiana, under Sections 306, 34 IPC.

The allegations, in nutshell, are that complainant Asha Bhalla's son Himanshu was married to Ritika daughter of the petitioners and a daughter was born out of the said wedlock about 6 months ago. It is alleged that the complainant and her husband are bed ridden as they had met with an accident. However, the complainant's daughter-in-law Ritika used to harass and bother them and even her parents are alleged to have given beatings to the complainant and her husband. The complainant alleges that accused even threatened to falsely implicate them and they used to pressurize complainant's son to purchase another house. It is alleged that on 13.8.2021, the petitioners came to complainant's house, abused them and scuffled with them and took away the complainant's grand-daughter. It is alleged that on account of the aforesaid conduct, the husband of complainant went in depression and felt insulted and set himself on fire and thus committed suicide.

Learned counsel for the petitioners submitted that the petitioners who are the parents of complainant's daughter-in-law have no role to play as alleged in the FIR and that in fact it was on account of the fact that the deceased was in a state of depression having being bed ridden on account of an accident in which his wife i.e. the complainant also sustained injuries who was also bed ridden. On account of the said accident, the injuries sustained by the deceased, he even sought premature retirement which added to his woes and depression and on account of which he ultimately committed suicide.

Notice of motion for 4.1.2022.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and

shall abide by the conditions as provided under Section 438
(2) Cr.P.C.”

3. Similarly, in the connected case i.e. CRM-M-41426-2021, this Court vide order dated 04.10.2021 while issuing notice of motion granted interim bail to the co-accused Reetika.
4. Learned State counsel upon instructions has submitted that pursuant to interim directions issued by this Court, all the petitioners have since joined investigation and are not required for any custodial interrogation and that they are not wanted in any other case.
5. Having regard to the aforestated position, wherein all the petitioners have joined investigation and are not required for custodial interrogation and otherwise have a clean record, both the petitions are accepted and the interim directions issued by this Court vide order dated 24.09.2021 and 04.10.2021 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. A photocopy of this order be placed on the connected file.

17.02.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**