

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54653-2021
Date of Decision: 31.03.2022

SHAKUNTALA DEVI ... PETITIONER
V/S
STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gautam Kaile, Advocate for
Mr. Rajiv Sharma, Advocate for the petitioner.
Mr. Zorawar Singh Chauhan, DAG Haryana.
* * *

VIVEK PURI, J. (ORAL)

On 14.01.2022, following order was passed:

“Petitioner is seeking anticipatory bail in case bearing FIR No. 176 dated 05.05.2021 under Sections 498-A/304-B, 201, 34 IPC registered at Police Station Saran, District Faridabad.

Briefly, the FIR has been registered on the basis of the statement of Manohri, the father of the deceased alleging that the marriage of his two daughters namely, Bharti and Geeta was solemnized with Rajesh and Dharamchand, sons of Harikishan in the year 2015. After the solemnization of marriage, the in-laws of both daughters were demanding dowry, Bharti was turned out of the house about three years ago, the younger daughter, namely, Geeta was killed by setting her on fire on 01.05.2021 by her husband Dharamchand, Jeth Rajesh, father-in-law Harikishan, mother-in-law Rambari and, Giriraj and his wife (petitioner) and the cremation was done elsewhere.

Learned counsel for the petitioner contends that the petitioner is neither related to the in-laws family of the deceased nor residing with them. The petitioner is residing at a distance of about one kilometer from the house of the in-laws family of the deceased and she is not having any mobile phone and she was not present at the time of occurrence or cremation of the

deceased.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG Haryana has put in appearance on behalf of the State and contends that as per the call detail record of Giriraj, the husband of the petitioner, his location was found at Bharatpur at the time of cremation of the deceased. Name of the petitioner has emerged only in the statement of Giriraj, her husband.

Adjourned to 31.03.2022.

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

Learned counsel for the petitioner contends that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel on the instructions of SI Ved Prakash has not assailed the aforesaid factual aspect and has stated that the petitioner is no more required for custodial interrogation.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 14.01.2022 is made absolute.

The petition stands allowed.

31.03.2022

Janki

(VIVEK PURI)
JUDGE