

2023:PHHC:107369

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

CRM-M-3917-2023

Date of Decision: 18.08.2023

RENU CHAWLA AND ANOTHER ... PETITIONERS
VS.
STATE OF HARYANA AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Aditya Sanghi, Advocate, for the petitioners.

Mr. Surinder Kumar Dagar, DAG, Haryana.

Mr. Keshav Pratap Singh, Advocate, for respondent No.2.

VIVEK PURI, J.(ORAL)

1. On 24.01.2023, the following order was passed by the
Coordinate Bench of this Court:-

“Present petition is for grant of concession of anticipatory bail to the petitioners-Smt. Renu Chawla and Smt. Neelam Chawla, sister-in-law/Jethani and mother-in-law respectively of respondent No.2 in case FIR No.678, dated 21.12.2022 under Sections 294, 313, 323, 34, 354, 354-A, 376, 377, 406, 498-A, 506, 511, 201 of IPC, registered at Police Station Rania, District Sirsa, Haryana.

Learned counsel for the petitioners submits that the husband of the complainant/respondent No.2 as well as husband of petitioner No.1 has already been arrested and in custody and the allegations in the FIR are bold and vague against the petitioners. He further submits that there is no medical record available to substantiate the allegations that the pregnancy was terminated due to kick blow given at the instigation of petitioner No.1.

Notice of motion.

Mr. Praveen Bhadu, Asstt. A.G., Haryana, accepts notice on behalf of the State and Mr. Keshav Pratap Singh, Advocate, accepts notice on behalf of respondent No.2.

Learned State counsel assisted by learned counsel for respondent No.2 submits that the entire medical record from the date of conception till the pregnancy being terminated / aborted is available. It is submitted that the abortion was a consequence of the kick blow given by Puneet Chawla, which was at the instigation of petitioner No.1.

Learned counsel for respondent No.2 submits that in fact, petitioner No.1 was staying in the same house and had been instigating the husband of the complainant right from the very beginning of her marriage to create a matrimonial discord.

After hearing the counsel for the parties, this Court does not find any reason to extend the concession of anticipatory bail to petitioner No.1, at this stage, as there are serious allegations against the petitioners. Prayer for anticipatory bail qua petitioner No.1 stands dismissed.

However, petitioner No.2 being mother-in-law against whom the allegations for demand of dowry etc. are there shall join investigation on 31.01.2023 at 10:00 A.M., before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, petitioner No.2 be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and petitioner No.2 shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 29.03.2023.”

2. The petition qua petitioner No.1 has been dismissed vide order dated 24.01.2023.

3. Learned counsel for the petitioners contends that in pursuance of interim directions issued by this Court, the petitioner No.2 has joined the investigation.

4. Learned State counsel has not disputed the aforesaid factual aspects and further submits that custodial interrogation of petitioner No.2 is not required.

5. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to petitioner No.2. Accordingly, order dated 24.01.2023, vide which petitioner No.2 has been granted interim bail, is made absolute.

6. Petition is allowed.

18.08.2023
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(VIVEK PURI)
JUDGE

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