

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

Sr. No.269-5

CRM-M-7637-2022

Date of Decision: 02.02.2023

Nirmla Devi and another

.... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Rajesh Lamba, Advocate for the petitioners.

Ms. Ankita Ahuja, AAG, Haryana.

Mr. Amandeep Vashisth, Advocate for the complainant.

TRIBHUVAN DAHIYA, J. (ORAL)

Pursuant to the interim order dated 23.02.2022, the petitioners have joined the investigation several times.

Learned State counsel, upon instructions from SI Naresh Kumar, however, submits that certain dowry articles and documents, like date of birth certificate, and mobile phone are still to be recovered. Therefore, petitioners' custodial interrogation is required.

Merely because recovery of some alleged dowry articles is still to be effected, cannot be a ground to seek custodial interrogation of the petitioners herein. Entrustment of the articles itself is a matter of trial, which is yet to commence. So far as other documents, date of birth certificate etc. are concerned, those are in public domain, and petitioners' custodial interrogation will not be required for that purpose. Still further, the police is already in possession of mobile call details, tower location, etc. of the accused, and the same have been placed on record of the case, running into

over thirty pages.

In view thereof, the interim bail granted to the petitioners vide order dated 23.02.2022 is made absolute subject to their abiding by the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(TRIBHUVAN DAHIYA)
JUDGE

02.02.2023
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No