

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

209

CRM-M-15505-2022

Date of Decision: 26.04.2023

Dropati

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Ravi Malhotra, Advocate for the petitioner

Mr. Vipin Pal Yadav, Addl. AG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. On 14.12.2022, the following order was passed:-

“The petitioner is seeking anticipatory bail in case bearing FIR No.19 dated 05.03.2022, under Sections 306 IPC, registered at Police Station Daba, District Ludhiana.

The reply by way of affidavit of Sandeep Wadehra, ACP, Ludhiana on behalf of respondents No. 1 to 3 taken on record.

Learned counsel for the petitioner inter alia contends that the marriage of her son was solemnized with the deceased on 26.04.2020. The deceased has committed suicide on 04.03.2022. The deceased has not left any suicide note. There is no allegation with regard to demand of dowry. Furthermore, as per the allegation in FIR, the deceased was not willing to solemnize the marriage and that may have prompted

her to commit suicide. The husband and son of the petitioner have been arrested, the challan qua them has been presented, the charge under Section 306 IPC has been framed and during the course of trial, the complainant, his son and wife have not supported the prosecution version.

Learned State counsel on instructions from ASI Avtar Singh submits that the arrest of the petitioner was stayed and she is yet to join the investigation.

Adjourned to 26.04.2023.

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.”

2. Learned counsel for the petitioner submits that co-accused i.e. husband and father-in-law of the deceased have already been acquitted by the Trial Court.

3. Learned State counsel submits that petitioner has joined investigation and no custodial interrogation is required.

4. In view of the above facts and circumstances, the petition is allowed and the interim bail granted to the petitioner vide order dated 14.12.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

5. If the petitioner or her family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

26.04.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>