

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17028-2023 (O&M)
Date of Decision : 23.08.2023

Kuldeep Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ramneet Vasudeva, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Haryana.

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ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.39 dated 23.02.2023 registered under Sections 306, 34 of the Indian Penal Code, 1860 (Section 149 added subsequently) at Police Station Sadar Kharar, District SAS Nagar (Mohali).

2. On 11.04.2023 the following order was passed :

“This is a petition for grant of pre-arrest bail to the petitioner in case FIR No.39 dated 23.02.2023 under Sections 306, 34 IPC (Section 149 IPC added later on), registered at Police Station, Sadar Kharar, District SAS Nagar (Mohali).

Learned counsel for the petitioner contends that the petitioner, mother-in-law of the deceased, alongwith her husband has been living separately at Ambala, whereas the deceased alongwith her husband was living at Kharar after their marriage on 23.01.2022.. Even as per the FIR, it has been stated that for the last about eleven months, the complainant's daughter/deceased was living in a rented accommodation at Kharar, where she committed suicide. It is further submitted that the allegations against the petitioner are vague and general, and do not attribute any overt act to her that could have forced the deceased to take the extreme step. There is no suicide note or dying declaration of the deceased recorded. Prior to lodging of the FIR, there has not been any complaint of any harassment against the petitioner by the deceased or her parents.

Notice of motion.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State, and Mr. Mandeep Kaushik, Advocate, has put in appearance for the complainant.

Adjourned to 23.08.2023.

In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest he shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438(2) Cr.P.C.”

3. Learned counsel would contend that the petitioner has since joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Kulwinder Singh, states that the petitioner has since joined investigation and is fully co-operating and that she is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 11.04.2023 is made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

August 23, 2023
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO