

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20051-2022 (O&M)

Date of Decision : 30.10.2023

TARO RANI & ANR.

.... Petitioners

VERSUS

STATE OF PUNJAB & ANR.

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Amit Dhawan, Advocate for the petitioners.

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.28 dated 14.04.2022 under Sections 406 and 498-A of the Indian Penal Code, 1860 registered at Police Station Mehtiana, District Hoshiarpur.

2. On 16.05.2022 the following order was passed :

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.28 dated 14.04.2022, registered for offences under Sections 406 and 498-A of the Indian Penal Code, 1860, at Police Station Mehtiana, District Hoshiarpur (Annexure P-1).

Counsel for the petitioners submits that petitioner No.1 is the mother-in-law and petitioner No.2 is the brother-in-law of the complainant-respondent No.2. He submits that FIR (Annexure P-1) is outcome of a matrimonial dispute, which was settled at an earlier point of time as is apparent from report dated 02.06.2021 (Annexure P-2). However, the complainant-respondent No.2 did not adhere to the compromise and filed a fresh complaint, on the basis of which, present FIR has been registered. Counsel submits that the petitioner has already deposited a demand draft of Rs.25,000/-, drawn in the name of the respondent No.2, with the Registrar General of this Court to enable the complainant-respondent No.2 to meet the travelling and litigation expenses.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the State-respondent No.1. He submits that minimal recovery has been made from the petitioner.

Respondent No.2 be served for 26.07.2022.

Petitioners shall appear before the Investigating Officer at Police Station Mehtiana, District Hoshiarpur on 23.05.2022 at 10.00 A.M. and join the investigation

and would thereafter appear as and when called by the Investigating Officer. In the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

The demand draft of Rs.25,000/- be released to the complainant-respondent No.2 on her moving an appropriate application in this regard with the Registrar General of this Court.”

3. Learned counsel for the petitioners would contend that pursuant to the said order, the petitioners have joined investigation and have fully cooperated.
4. Learned counsel for the State, on instructions from ASI Onkar Singh, has stated that the petitioners have since joined investigation and have fully cooperated and that they are no longer required for further custodial interrogation as of now.
5. In view of the above, the order dated 16.05.2022 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners 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.

30.10.2023

Aman Jain

NOTE:

(ALKA SARIN)

JUDGE

Whether speaking/non-speaking: Speaking

Whether reportable: YES/NO