

2023:PHHC:098297

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

CRM-M -22725-2022

Date of Decision: 01.08.2023

**VIVEK PURI @ VIVEK KUMAR AND ORS ... PETITIONERS
VS.
STATE OF PUNJAB .. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Arun Dogra, Advocate
for the petitioners.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

Mr. Sandeep S. Majithai, Advocate
for the complainant.

VIVEK PURI, J.(ORAL)

1 On 14.12.2022, the following order was passed by the
Coordinate Bench of this Court:-

“Status report by way of an affidavit of Mr. Surinder Pal, PPS, Deputy Superintendent of Police, Sub Division Kartarpur, District Jalandhar (Rural) filed by learned State counsel is taken on record.

It has been contended by counsel for the petitioner that the petitioner had no role in the matrimonial life of the deceased. He submits that soonafter the injury received by the deceased, she was shifted to the hospital by her in-laws only on 11th April, 2022 itself and thereafter, she remained admitted in the hospital and ultimately succumbed to the injuries on 14.04.2022. It has been submitted that husband of the deceased is in Dubai.

Learned counsel for the complainant has opposed the submissions made by counsel for the petitioner. He has submitted that the deceased was being harassed by the in-laws as since beginning the husband was in Dubai and she was living with them.

Heard. Interim order dated 31.05.2022 is modified to the extent that in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation

before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

(1)That the petitioner shall make themselves available for interrogation by a police officer as and when required to do so.

(2)That the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(3)That the petitioners shall not leave India without prior permission of the court.

List on 11.04.2023.”

2. Learned counsel for the petitioners contends that in pursuance of interim directions issued by this Court, the petitioners have joined the investigation.

3. Learned State counsel has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioners is not required.

4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 14.12.2022, vide which the petitioners have been granted interim bail, is made absolute.

5. Petition is allowed.

01.08.2023
smriti

(VIVEK PURI)
JUDGE

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