

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM-M-22722-2023 (O&M)

Date of Decision: 11.09.2023

Basant Lal and another

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. A.S. Khaira, Advocate for the petitioners.

Mr. Jaswinder Singh Arora, DAG, Punjab.

NIDHI GUPTA, J. (ORAL)

The petitioners have filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No. 0009 dated 15.02.2023 registered under Sections 498-A, 406 and 506 read with Section 34 IPC at Police Station Kalanaur, District Gurdaspur.

On 19.05.2023, this Court had passed the following order :-

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No. 0009 dated 15.02.2023, under Sections 498-A, 406, 506 and 34 of IPC at Police Station Kalanaur, District Gurdaspur.

Learned counsel for the petitioners fairly submits that he does not press for petitioner No. 1-Basant Lal, against whom the allegations are direct in the FIR.

Learned State counsel submits that, in fact, the son of the petitioners, who was the husband of the complainant has also yet not surrendered.

After hearing learned counsel for the petitioners, the

present petition qua petitioner No. 1-Basant Lal is dismissed as not pressed but prays that in case, petitioner No.1-Basant Lal, surrenders, his bail be decided on merits within a period of one week thereafter. Accordingly, it is ordered that in case petitioner No. 1-Basant Lal surrenders within one week and applies for bail, the same be decided in accordance with law and without being guided by this order, within a period of 15 days thereafter.

However, qua petitioner No. 2-Parveen, who is the mother-in-law, learned counsel for the petitioners submits that the allegations against petitioner No. 2-Parveen are vague and general in nature and there is no specific allegation of any entrustment to petitioner No.2/mother-in-law with regard to the dowry articles.

*In the light of the above, petitioner No. 2, is directed to join the investigation on **30.05.2023** at **10:00A.M.** before the Investigating Officer and cooperate with the Investigating Agency even thereafter.*

In the event of arrest, petitioner No.2-Parveen be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

*Adjourned to **11.09.2023.**”*

Learned counsel for the petitioners submits that in compliance of the order dated 19.05.2023 passed by this Court, petitioner No. 2 who is mother-in-law of the daughter of the complainant has joined the investigation. Learned counsel further submits the present petition qua petitioner No. 1-Basant Lal, has already been dismissed as not pressed by this Court vide order dated 19.05.2023 and further, he has already been released on regular bail by the trial Court.

Learned State counsel, on instructions from ASI Ranbir

Singh, states that in terms of the order passed by this Court, reproduced above, petitioner No. 2 has joined the investigation on 27.05.2023; and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 19.05.2023 granting interim bail to petitioner No. 2 is made absolute.

However, petitioner No. 2 shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join the investigation and cooperate with the investigating agency in case she is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

11.09.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No