

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-23495-2023

Date of decision: 28.08.2023

Kuldeep Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S. Sarwara, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0037, dated 18.04.2023, under Sections 452, 323, 427, 149 IPC, registered at Police Station Chamkaur Sahib, Rupnagar.

2. On 09.05.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“It has been contended by counsel for the petitioner that dispute between both the sides is the matrimonial dispute. He submits that petitioner is the mother of daughter-in-law of the complainant. He submits that on account of the dispute, civil litigation is already pending between the parties. He submits that the present FIR has been lodged only in order to settle the civil dispute pending between the parties. He further submits that neither any prima facie case, as alleged, nor any case for custodial interrogation of the petitioner is made out. He further submits that petitioner has no criminal antecedents and hence, in view of the aforementioned facts, no case for custodial interrogation is made out, however, she is ready

to join the investigation and abide by all the terms and conditions of the anticipatory bail if this Court considers her request for granting the same.”

3. Learned counsel for the petitioner submits that in compliance of order dated 09.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Mohan Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for her custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 09.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

28.08.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No