

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

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CRM-M-26315-2022

Date of Decision: 24.01.2023

Ritu @ Ritu Arora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Ms. Suman Kumari, Advocate for
Mr. M.K. Sajjan, Advocate for the petitioner
Mr. Amish Sharma, AAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

Affidavit dated 23.01.2023 filed by Surinder Pal, Deputy
Superintendent of Police (City) Ferozepur, filed by learned State counsel
is taken on record. Registry is directed to tag at appropriate place.

On 13.06.2022, the following order was passed:-

*“ The present petition has been filed under Section 438
Cr.P.C. for grant of the anticipatory bail to the petitioner in
a case registered against her vide FIR No.152 dated
14.05.2022 under Section 306 IPC with Police Station City
Ferozepur.*

*The learned counsel for the petitioner inter alia
contends that the petitioner was married to Gurinderpal
Singh, the brother of the present complainant and the
deceased-Pooja is the wife of the present complainant. The
learned counsel for the petitioner submits that the petitioner
is similarly situated like the deceased-Pooja and the question
of Pooja committing suicide on account of her harassment*

does not arise. It is further contended that the petitioner had left the matrimonial home in October, 2021 after which she got an FIR under Sections 406 and 498-A registered against her in-laws family. Therefore, even otherwise, there was no question of contact between her and the deceased-Pooja. So far as the suicide note is concerned, it is cryptic and has not yet been sent for forensic analysis so as to examine the hand writing of the deceased.

Notice of motion for 12.09.2022.

In the meantime, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 24.06.2022 and in the event of her arrest, she shall be released on bail on her furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

(i) that the petitioner shall make herself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, the State is directed to file an affidavit as to the exact role of the petitioner and her co-accused

alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

Learned State counsel submits that petitioner has already joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 13.06.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

24.01.2023

Mohit Kumar

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*