

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 27094 of 2023

Date of decision : October 06, 2023

Snehvir 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. Mohit Kapoor, Additional Advocate General, Punjab.

Mr. Swatantra Pratap, Advocate
for the complainant.

Manjari Nehru Kaul, J (oral).

1. The petitioner is seeking the concession of bail under Section 438 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 26.05.2023, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him 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 daughter-in-law of the complainant and co-accused of the petitioner have already been granted interim anticipatory bail by this Court vide orders dated 09.05.2023 and 11.05.2023 passed in CRM-M-23495- 2023 and CRM-M-24107-2023 and the same are

pending for 28.08.2023. He further submits that on account of the dispute, civil litigation is already pending between the parties. 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 the order dated 26.05.2023, the petitioner has joined investigation and cooperated with the investigating agency. It has further been submitted that out of 66 sale deeds, 61 already stand registered.
4. Learned State counsel does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, further submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. Learned counsel for the complainant submits that about 15 sale deeds still remain to be registered.
6. Be that as it may, once the petitioner has joined the investigation and cooperated with the Investigating Agency, the petition is allowed and the interim order dated 26.05.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

October 06, 2023
archana

Whether speaking/reasoned
Whether Reportable

Yes
No