

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

CRM-M-35722-2023
Date of decision: 09.10.2023

INDIRA DEVI

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr.Birinder Pal, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG, Haryana.

Mr. Vijay Sangwan, Advocate for the complainant.

VIVEK PURI,J. (ORAL)

1. On 26.07.2023, the following order was passed:-

“1. The petitioner is seeking anticipatory bail in the case bearing FIR No. 57 dated 02.06.2023 under Sections 323, 328, 34, 354-A, 376, 406, 498-A, 506 and 511 IPC (Sections 328, 354-A, 376 and 511 IPC were deleted during investigation) registered at Women Police Station Narnaul, District Mahendergarh.

2. Learned counsel for the petitioner contends that the marriage of the son of the petitioner was solemnized with the complainant on 05.02.2022. The allegations levelled against the petitioner are the to the effect that she had been maltreating the complainant and raising demand of dowry and also forcibly made her to consume harpic with an intention to kill her. It has been further submitted that the complainant had gone to the house of her parental family on 21.01.2023 accompanied by the members of her parental family on the pretext of attending marriage. She also took all her jewellery items with her. Furthermore, the offence under Sections 328, 354-A, 376 and 511 IPC has been deleted.

3. Notice of motion.

4. Mr. Ranvir Singh Arya, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State.

5. Adjourned to 09.10.2023.

6. In the meanwhile, the petitioner is directed to join investigation and in the event of her arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

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2. Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has joined the investigation and is not in the possession of any articles of *Istri Dhan*.

3. On instructions from ASI Rakesh, learned State counsel submits that the petitioner has joined the investigation and her custodial interrogation is not required but the recovery of jewellery items is yet to be effected.

4. Be that as it may, the controversy as to whether the articles of *Istri Dhan* were entrusted to the petitioner and have been misappropriated will be a debatable and moot point during the course of trial. The petitioner has joined the investigation and her custodial interrogation is not required. As such, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

5. In view of the aforesaid submissions, the order dated 26.07.2023, granting interim bail to the petitioner is made absolute.

6. The petition is allowed.

09.10.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No