

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

Sr. No.201(2)

**CRM-M No. 44418 of 2022
Date of decision : 31.01.2023**

Sharmina

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. B.S. Aulakh, Advocate for the petitioner.
Mr. Arun Luthra, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 87 dated 05.08.2021 registered under Sections 323, 341, 506 and 34 IPC (Section 498-A IPC added later on) at Police Station Sadar Ahmedgarh, District Malerkotla.

On 28.09.2022, this Court had passed the following order : -

“Learned counsel for the petitioner inter alia contends that the petitioner is the married sister-in-law of the complainant who has been falsely implicated in this case on account of a matrimonial discord between the petitioner's brother and the complainant; the allegations with regard to the demand of dowry are false and in any case vague and unsubstantiated; similarly, the allegations with regard to beatings given to the complainant are also non-specific; the allegation that the petitioner has hit the back of the complainant with a burning wood are false with no evidence to back the same and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion for 31.01.2023.

Mr.M.S.Nagra, AAG, Punjab, accepts notice on behalf of respondent No.1-State and prays for time to argue the matter.

Respondent No.2 be served through ordinary process.

In the meanwhile, subject to the petitioner's joining investigation as and when called by the investigating agency

as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of her arrest in FIR No.87 dated 05.08.2021 registered under Sections 323, 341, 506 and 34 IPC (Section 498-A IPC added later on) at Police Station Sadar Ahmedgarh, District Malerkotla, she shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

Before the adjourned date, the state shall file a status report after consideration of which further orders in the present petition shall be passed.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that her custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioner abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 28.09.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

31.01.2023*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No